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THE VIGILANTES OF MONTANA:
THE MYTHIC NARRATIVES OF COLONIAL FRONTIER HISTORY

By

Jeri M. Larsen

B.A. Brigham Young University, USA, 2001

Presented in partial fulfillment of the requirements

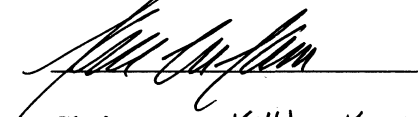
For the degree of

Masters of Arts

The University of Montana

May 2003

Approved by:



Chairperson: KATHLEEN KIRNE



Dean, Graduate School:

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The Vigilantes of Montana: The Mythic Narratives of Colonial Frontier History

Director: Dr. Kathleen Kane KMK

My study, "The Vigilantes of Montana: The Mythic Narratives of Colonial Frontier History" elucidates how the literary descriptions of a regional episode can have ideological ramifications on the national level. In 1864 Montana, Idaho Territory, the Montana Vigilantes hanged twenty-nine men, supposedly members of a robber gang headed by the region's sheriff, without trial. Local authors have celebrated this committee for more than a century as a protective and noble class of men. Yet, recent research has shown the probable innocence of many of the vigilantes' victims. The numerous literary records that chronicle the vigilantes' deeds have justified their actions while adding to the myth of the colonial Frontier. This myth not only permeates much of our local literature, but perpetuates itself in our ideology. Indeed, the state of Montana still celebrates "Vigilante Days" with parade and pomp in Helena.

Historical analyst and critic Richard Slotkin explains, "when the nation faces a challenge from a power beyond its borders, the mythology of vigilantism reminds us that extraordinary violence by privileged heroes, often acting in despite of law, has been the means of our national salvation" (193). In other words, violence is permissible if certain noble and worthy men "take law into their own hands." Therefore, the violence of the mythic West was often permitted in accordance with the suspension of law. That suspension of law is an implement of colonialism; my project argues the violence of the Frontier myth is a residue of colonial ideology in our societal consciousness. It is vital for us to question what has been written about this particular vigilance committee in Southwestern Montana because the violent myth created by such committees has drastically impacted our perception of our own historical condition.

PREFACE

January, 1863, Idaho Territory (Present-day Montana):

The rope suspending the man was dappled with frost. His feet hanging almost to the snow were badly frostbitten, the ankles corroded with gangrene. His clothes, threadbare and worn, were rustled by wind, and the face was terribly distorted by death. No well-built gallows held the man, but a simple pole commandeered for the purpose. No public trial had led him to the spot; no judge had ordered his execution. His family had not been notified and no law consulted before the hanging. The only clue as to this man's supposed crime was the color of his worn handkerchief and the knot that held it in the wind. And at the man's feet, rising from the snow, was a rock scraped with the numbers 3-7-77.

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INTRODUCTION

The Noose in the Narrative

In this analysis, “The Vigilantes of Montana: The Mythic Narratives of Colonial Frontier History,” I attempt to examine one historical episode of Frontier violence in terms of its historical and contemporary narratives. By investigating the archival records of that episode, I strive to illustrate the repercussions of incorporating those narratives into the national perception of the West. The violence of the Frontier myth both justifies and is justified by historical incidents of vigilante violence.

January, 1863, Idaho Territory (Present-day Montana):

R. E. Mather and F. E. Boswell’s text, *Vigilante Victims*, depicts a sight not all that uncommon in 1864 territorial Montana—a man swinging from a make-shift gallows:

By torchlight they leaned a tall, slender pole against the corral, tied a rope to the protruding end, and placed a box under it. Into the chilling night air, they led the captive, hobbling upon bare feet whose already-dead skin, muscle, and bone could not sense the frozen earth. At the crude scaffold, they lifted him to the box. “Have mercy on me for my youth,” he pleaded.

“You should have thought of it before,” Number 84 answered, signaling his men to yank away the box. While they hovered about in the cold waiting for the pulse to cease, the scent of the dangling their own vigil. But vigilantes disappointed the hopeful predators by burying their victim that night. The next morning they left a masterless dog to its own fate and rejoined the main party, reporting that their mission had been a success. (104)

Lynching: Still Praised in Montana:

Though vigilantism—the pursuing and punishing of alleged criminals by an unauthorized group—was common throughout the western frontier, no vigilance committee has been more celebrated than the Montana Vigilantes who, from 1863 to 1885, ruled the mines of Alder Gulch and Grasshopper Creek, Montana, Idaho Territory (AHD 757)¹. Though the seventy-mile stretch was governed by a miners' court and sheriff's posse, twenty-four men signed an oath on 23 December 1863 pledging secretly their allegiance to one another and to their cause:

We the undersigned uniting ourselves in a parly for the soundible purpos of arresting thieves and murderers and recovering stollen propperty do pledg ourselvs with our sacred honor each to all others and solemnly swear that we will reveal no secrets, violate no laws of right and never desert each other or our standerd of justice so help us God. As witnes our hand and seal this 23 December AD 1863 (signatures following) [sic throughout]. (Langford 6)

R. E. Mather and F. E. Boswell—historians critical of, and even opposed to Vigilante tactics—point out the oath states nothing of the vigilance committee's intentions to hang twenty-one men without trial before their reign of terrible justice was complete (1). After killing the local law officers, the Vigilantes reigned over the mining district by intimidation. Though Territorial Governor Sidney Edgerton's application for Montana to receive territorial status was granted on May 1, 1864, the Vigilantes continued to hang men without trial until the summer of 1865, killing twenty-nine men in all (Brown and Griffing 9, Dimsdale 251-54). Eventually, however, the organization gave way to the new law-enforcement authorities established in the Territory.

An important facet of this study involves documenting and investigating the acclaim accorded to the Vigilantes for more than a century. Not only is the organization

¹ Various other groups of vigilantes, patterned after this original Montana group, presided in other areas of Montana as late as 1884.

praised in Montana high school and grade school History classrooms², but it is also expressly recognized by the state of Montana itself. One such accolade permanently resides as an official rhetorical symbol of the State's endorsement of the lynching. In the state capitol building in Helena, a bronze tablet was placed in memory of James Williams, the executive officer of the Vigilantes. It reads:

TO COMMEMORATE
THE NAME AND DEEDS OF
JAMES WILLIAMS
CAPTAIN OF THE VIGILANTES
Through whose untiring efforts and intrepid daring, law
and order were established in Montana, and who,
with his associates, brought to justice the most desperate criminals in the
Northwest.
*The sluice was left unguarded when Williams' task was done,
And trails were safe for honest men through victories he won.*
(Linderman 4)

This memorial was placed by Frank Bird Linderman, one of many pro-Vigilante (Montana) novelists³. What Linderman's loving plaque does not mention is that there was still "lawlessness" in the territory after "William's task was done." The year after the twenty-one members of the alleged Plummers' Band were eradicated, eight more men were hung for suspected robbery or murder (Dimsdale xii).

Vigilantism: A Definition:

Because the term "vigilantism" has been used to refer to myriad of groups—ranging from Clint Eastwood's past film portrayals of an "urban vigilante" to

² Chapter Three of this thesis quotes Helena high school students illustrating their favorable opinion of the Montana Vigilantes.

paramilitary Loyalist and Republican groups in Northern Ireland, its definition is elusive. Criminologist Les Johnston attempts to “conceptualize vigilantism” in order to provide “a starting point for future empirical analysis of the subject” (1). Frustrated by the popular conception of the term, he developed six elements of true vigilante activity.

First, vigilante activity “involves planning and premeditation by those engaging in it”—one cannot simply decide to be a vigilante without preparation. Second, Johnston asserts, “participants [in vigilantism] are private citizens whose engagement is voluntary.” One cannot be coerced into true vigilantism because vigilante violence is justified as the will of the masses. If one is forced onto a vigilance committee, the violence becomes the will of the powerful, not of the public. Third, vigilantism “is a form of ‘autonomous citizenship’ and, as such, constitutes a social movement.” This third aspect of Johnston’s definition prescribes vigilantism as a sort of popular uprising—a socio-political rebellion. Fourth, vigilantism “uses or threatens the use of force.” This force can be physical, political or judicial. Fifth, vigilantism “arises when an established order is under threat from the transgression, the potential transgression, or the imputed transgression of institutionalized norms;” and Sixth, “it aims to control crime or other social infractions by offering assurances (or ‘guarantees’) of security both to participants and to others.” (Johnston 1). In other words, vigilantes offer assistance that the social ideology will be protected if an unruly element endangers society or its “institutionalized norms.”

Later expansion on these points, and application of them to nineteenth-century Montana’s particular vigilance organization will follow in Chapter Two. Though

³ Since Linderman’s and most other pro-vigilante texts lack bibliographic information, they can indeed be classified as novels. These cultural narratives are inseparably linked to the ideological myth of the Western

Johnston's criminological definition is formulated mainly for application in the United Kingdom, he makes sure to include many examples from "nineteenth-century North America" (2).

In reference to this same time period of American history, historical analyst Christian G. Fritz suggests there is an inherent connection between vigilante violence and colonial constitutional conventions. In the new territories of the West, Fritz asserts, the people exercised their right to popular sovereignty with vigilante violence:

[There is an] interplay of an indigenous American idea—popular sovereignty—and two American traditions: vigilante justice and constitutional conventions during the nineteenth century. While the traditions may seem unconnected, they are linked by the doctrine of popular sovereignty, which was based on the notion the "the people" possess the right to reform, alter, or abolish their government at any time. (1)

In the case of the Montana Vigilantes, the lack of federal government could have catalyzed vigilante violence. Idaho Territory was, as yet "uncivilized" and had no formal government. Yet, the miners had elected a sheriff and established a working "miners' court" in the territory (Langford 84). Nonetheless, Mather and Boswell explain, "the lynched men were guilty of no crimes, nor were their lynchers. Federal legislators had failed to keep in force the criminal law codes existing in the territories from which Idaho was formed. Therefore, in January and February 1864 there was no criminal law for Idaho citizens to violate" (162). Since no federal law was available to break, the Vigilantes could indeed have been concerned about exercising their popular sovereignty in a place about to be "civilized" by constitutional law.

Though Johnston's and Fritz's articles are helpful in providing a potential range of definitions of vigilantism, in this study I will primarily rely on the ideas and definitions

that social and cultural analyst Richard Slotkin has provided in *Gunfighter Nation*—a text much more applicable to the Frontier violence of Western American vigilantism than the above articles.

Vigilantism—Not just for Southerners or San Franciscans:

Contemplation on nineteenth-century American vigilantism mainly centers on the South and perhaps, if one's history is polished enough, on 1856 San Francisco. Both examples are worth noting in that they served as models for the Montana vigilance committee. Other influences outside the territory impacted the Vigilantes, as well. Certainly the Civil War raging in the South-East influenced the settlements of Idaho Territory—individual allegiances to the Union or the Confederacy were well-known. Moreover, one of the main reasons settlers in the mining towns of what is now Montana struggled for or against the vigilance committee can be traced to the lack of governmental intervention during the war years. Lincoln's administration was facing a pressing challenge much closer to home, and therefore the territories were somewhat neglected during the 1860s.

The 1856 San Francisco vigilantes were even more of a catalyst for Montana settlers. Though most of the vigilantes were from the mining settlements of Colorado (Mather and Boswell 146), most of their victims were “other-siders” (152, 161) from the West Coast. With these “other-siders” came tales of “roughs” and of extensively organized criminal networks (162). Therefore, the stories of the Vigilance Committee in San Francisco in 1856 could also have possibly drifted over the mountains to the mines

of Alder Gulch. It is understandable that with news of such crime and such criminal extermination, miners in Idaho Territory less than a decade later would resort to similar tactics when faced with a high crime rate.

As will be explained later, however, there was more to the Montana Vigilantes than a simple suppression of crime. Perhaps they were acting on behalf of popular sovereignty as Christian G. Fritz suggests. Perhaps their intentions were purely driven by the goal of eliminating criminal elements. Mather and Boswell postulate, however, that “the contest [in Montana] was not so much about highway robbery as about supremacy at the mining settlements.” They justify their theory in political terms: “The miners’ sheriff and the majority of the twenty-one victims were Democrats, while Vigilante leaders were mainly Republicans” (167). Such a theory could have serious ramifications considering the acclaim the memory of the Vigilantes still inspires in Western texts and consciousness. Evidence suggesting the Vigilantes were more eager to establish themselves in power than to establish the people’s safety would stain the Montana committee’s popular approval.

Got Rope? The Dangers of Hiding Behind Historical Myths:

Discussions of Southern lynchings and California political debates, as well as other particular episodes of historic lynching may not seem relevant to discussions of cultural or literary theory. Yet in fact, the narratives of these hangings are vital to a literary discussion of the West in that they have altered cultural perception of the Western Frontier. Reciprocally, the myths created by those narratives have upheld and justified the

vigilante violence the narratives depict. As Chapter One will explain, the division between the Vigilantes and their victims was not one of race; nor did these Vigilantes use lynching as range war tactics as in other Western settlements. However, this episode in history is vitally important to Montanans and Western states because the praise of the “civilized” Vigilantes still reverberates as part of the myth of the West. Richard Slotkin explains the social mechanisms behind that myth:

Successful myth-making in the United States requires bridging or covering-over ideological dichotomies, like that between the democratic and the managerial models of good politics. When [Owen] Wister’s work was imitated by dime-novelists and pulp-novelists and adapted for the movies, the Virginian’s lynching of Steve and his killing of Trampas appear as the triumphs not of a racial aristocrat but of an uncommon common man. (185)

Slotkin describes Owen Wister’s novel and others that perpetuated the Western American myth of the “good cowboy” who defies law and government in order to punish the “bad guys.” As Slotkin notes, his examples stem from a myth some Westerners created themselves. It was not only the pulp-novelists that historically forced the myth of “good” violence on the American public; supposedly objective “historical” writers wrote persuasive narratives, as well. By influencing those such as Wister, authors of “historical” narratives shaped and justified the myths of Frontier violence by portraying some men as flawless and some as evil. Thomas J. Dimsdale, Nathaniel P. Langford, and Frank Bird Linderman are three such authors.

Thomas J. Dimsdale’s text exemplifies the persuasive tactics of historical narratives. Dimsdale’s title for *The Vigilantes of Montana* is upheld by its claim to be “a correct and impartial narrative of the chase, trial, capture and execution of Henry Plummer’s notorious road agent band.” This claim, found just below the title on the cover, doesn’t elucidate the method of “trial.” Nor does it reveal that such trials were

sporadic, never held with a judge or jury (outside of the Vigilantes) and often didn't even include the defendant himself, as Dimsdale's narrative later admits. Nowhere in the book are readers told that Dimsdale was himself a member of the Masonic community to which most Vigilante leaders belonged (Jarvis Interview). His "impartial narrative" does not include any mention of the monetary support his newspaper was receiving from influential members of the Vigilance Committee when the story was being written. Nor does it explain that it was written at a time when the newly-organized, federal-sent territorial government was questioning the acts of "Montana's Righteous Hangmen," as writer Lew L. Callaway so generously refers to them. R.E. Mather and F.E. Boswell's extensive archival research on the Montana Vigilantes sheds some light on Dimsdale's motivation for writing. Their text elaborates on each of Dimsdale's incentives:

Dimsdale omitted the role Nevada City residents had played in the formation of the vigilance organization. When asked for an explanation, he replied that "it cost money to publish the history and if Nevada was in it must 'grease the wheels.'" [...] Dimsdale's influence—the bias, propaganda, myth, and stereotypes—has been so pervasive partly because most historians believed that the Oxford-educated editor was not a vigilante. Dimsdale's lack of participation in vigilance activities, Merrill Burlingame wrote, "should make the narrative more objective than if he had been a member." And though Dimsdale did claim that his narrative was "impartial," it is naïve to suppose that a delicate consumptive who attempted to avoid any form of dispute could muster the fortitude of an Alexander Davie and stand "stiff-legged" against the threats of vigilante recruiters. In all probability, the "gentle" schoolmaster [...] had the same relationship with the vigilante organization as his successor. [...] After only two weeks in Virginia City, Blake [Dimsdale's successor to the Post] received notification that he "had been elected a member of the Vigilantes." "I was not invited to attend any meeting," Blake recounted, "but was informed as to what had been done after the act was recorded." There is no reason to suppose that the vigilantes dealt with Blake any differently than they had handled Dimsdale. (174-75)

Though Mather and Boswell assert Dimsdale was too weak to stand up to the Vigilantes, his pen was, at the very least, mighty enough to stand up in history. Though his narrative is near propaganda (the owner of the current Rank's Mercantile in Virginia City called

Dimsdale “a used car salesman”) his text is still the most revered source on the 1863-64 killing spree (Merchant Personal interview).

The mythologies perpetuated about Western America aren’t simply stories told in novels like Wister’s and Dimsdale’s. They have shaped public consciousness. Future texts extended them. History textbooks maintain them. Richard Slotkin explains the American necessity for justifiable violence:

It is the nature of mythic symbolism to exaggerate, to read particulars as universals, to treat every conflict as Armageddon in microcosm. The primary social and political function of the *extraordinary* violence of myth is to sanction the *ordinary* violence of oppression and injustice, of brutalities casual or systematic, of the segregation, insult, or humiliation of targeted groups. And, as we shall see, when the nation faces a challenge from a power beyond its borders, the mythology of vigilantism reminds us that extraordinary violence by privileged heroes, often acting in despite of law, has been the means of our national salvation. (193)

If narratives that justified vigilante violence did not exist, there would be no myth powerful enough to justify this “extraordinary violence.”

There is more to a discussion about the Montana Vigilantes than right or wrong, legal or illegal, Republican or Democrat; this vigilance organization represents more than simply an episode of violent history; in fact, this episode has shaped and even altered social consciousness. “The vigilantes’ reign has had its effect on the collective national conscience, for the story of the lynchings not only bears upon western history, but also upon the issue of man’s importance in the universe. [...] The vigilantes’ lack of regard for life is mirrored in western history and literature” (Mather and Boswell 177). It is this mirror that must be examined—an examination that can only take place if we explore the violence behind the myth and the myth behind the violence. By succumbing to historically- and currently-perpetuated myths of our nation’s past, we allow our

consciousness to be lulled to unawareness and inactivity in the face of our nation's present violence—justifying ideologies and actions.

Exploring Montana—The Necessity of History:

In Chapter One, I expound at length on the history behind the Montana Vigilantes' hanging spree. This historical record incorporates months of research gathered from key published vigilante narratives, as well as from archival texts preserved in various libraries around Montana. For example, I visited Nevada City and Virginia City in August 2002. Included in this text are the photographs of the Alder Gulch area taken on that trip. While in Virginia City I conducted two personal interviews with merchants from the area (one of which is a Montana Heritage Commission member), visited museums, noted historical plaques and markers related to Vigilante activity, located historical sites and explored the towns. In January of 2003, I visited the Montana State Historical Society Archives in Helena. There I was able to view the Vigilantes' own records, as well as other relevant primary texts, firsthand. While in Helena I searched the Helena High School library's archives and collected the photographs of the Vigilante Day Parade included in Chapter Three.

I invested in archival work, though published narratives about the Vigilantes are readily available, because an understanding of primary historical texts is crucial to a postcolonial study. For this reason, Chapter One is an overview of the history surrounding Montana's vigilance committee and the twenty-nine men those Vigilantes hanged. It is impossible to attempt a colonial analysis of mythical Frontier ideology

without knowing the history underwriting that ideology.⁴ Therefore, it is essential to locate the Vigilantes in their particular historical context in order to adeptly reconstruct the ideological narrative history surrounding Montana vigilantism.

⁴ I use the term colonial here because this study highlights a particular historical episode of Western American settlement. This is a postcolonial analysis because it examines contemporary reflections of the

CHAPTER ONE

The Montana Vigilantes

Montana's Mining Towns—the Establishment of Bannack:

By the late 1850s, with the rush for gold in California and Washington nearly over, adventure-seekers and miners were always listening for word of a lucrative new find. The 1860 diggings in Montana, Idaho Territory, drew both good men and bad to the North, and in 1862, rumors of gold on Grasshopper Creek drew fortune-hunters to the new town of Bannack, which sprang up to support the miners and those who preyed off them. W.C. McRae and Judy Jewell, authors of *The Montana Handbook* explain, “These large strikes, and many smaller mines, attracted people of varied character to Montana. There were fewer than 100 whites in the state in 1860. By 1870, there were over 20,000. Some men came to Montana to prospect for gold and get rich; others came to get rich by stealing and killing” (14). Though most settlers inhabited tents along the creek, some cabins and even frame buildings were erected to house those with enough gold dust.

The Mines behind the Myth:

Though gold strikes are a common theme in the discourse of Western Frontier history, the lingering effects of miners' settlement methods are less commonly examined. The “varied characters” McRae and Jewell allude to above are vital elements of the

historically violent “civilization” techniques of Montana mining towns.

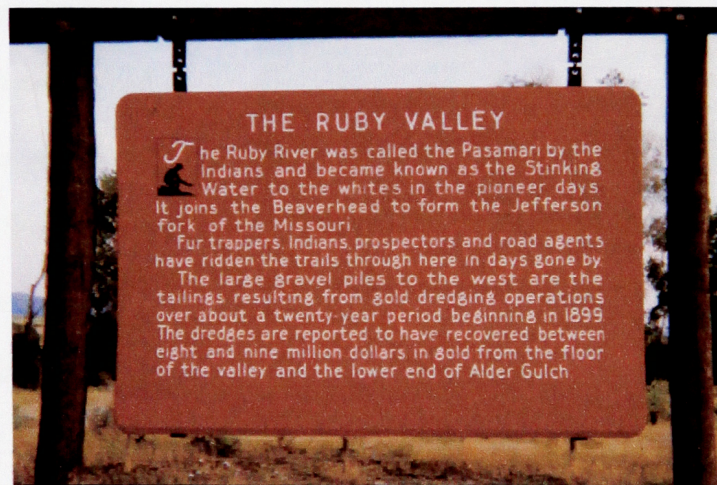
mythic Frontier. Such characters give life to stories of the West. The time of gold dust and mining towns may itself have been ephemeral, but the legacies and stories of that era are not. These stories created the idea of the Frontier—an idea complete with lawmen and outlaws, badges and robberies, hangings and self-governance.

(Since I cannot endeavor to explain every component of the Frontier myth, I will attempt to examine one element of it—vigilantism.) Among these multiple and varied narratives, the stories of vigilantism in Western mining towns stand out as having given eternal life to settlers and their settlements since the nineteenth century. One such story began in the booming towns of Bannack, Virginia City and Nevada City in 1863 Montana, Idaho Territory.

The Discovery of Alder

Gulch:

In 1863, though the town of Bannack still thrived, adventurers went looking for other sources of gold. Some felt the strike along



The Ruby River is the original name of the Stinking Water River, the river that runs through Alder Gulch

Grasshopper Creek had “played out” quickly (Gazette 1). With Bannack’s diminishing resources in mind, six men left the town to search for gold elsewhere. Though turned away from their original destination, they succeeded in finding a strike richer than that on Grasshopper Creek. The *Virginia & Nevada City Gazette* of May 2002 records this find:

May 26, 1863—Six men, Thomas Cover, Henry Edgar, William Fairweather, Barney Huges, Henry Rodgers, and Bill Sweeney, headed east from Bannack to the Yellowstone River to find gold. [...] They met up with a band of Crow Indian warriors who stopped them and demanded they turn around. Fleeing from the warriors, the six men turned back toward Bannack, riding across the steep foothills to stop for the night down on a creek in a gulch heavily covered in alder trees. Before beddin' down for the night, Edgar and Fairweather decided to try for a possible bit of gold so they could buy some tobacco. (Gazette 1)

Instead of simply finding enough money for tobacco, the two discovered rich deposits of gold in Alder Gulch (named for the alder bushes lining the “Stinking Water” creek) (“Virginia City, MT” brochure). According to the *Gazette*, “These two men discovered what became the largest placer gold strike in North America” (1). In light of the opulent discovery at Alder Creek, it didn’t take long for many of Bannack’s population to travel the seventy miles eastward toward the new strike.

In fact, more than 10,000 people had migrated to Alder Gulch within a year. Small towns were spread all along the Stinking Water Creek, lending truth to “Fourteen-Mile City’s”



The historic town of Nevada City

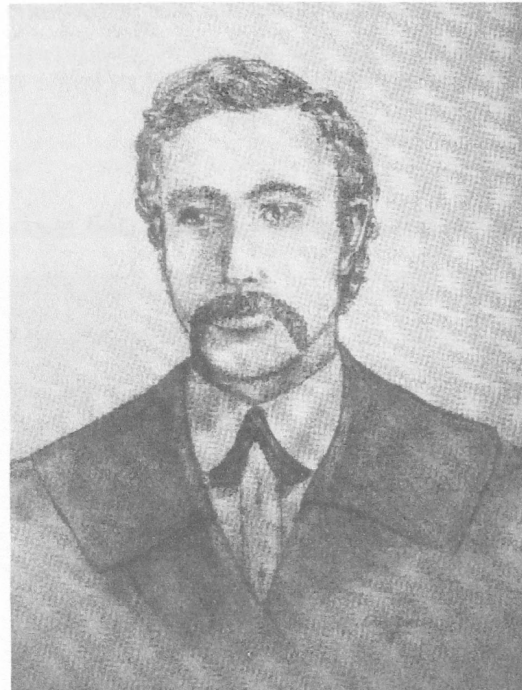
nickname (“Guide to Nevada City, MT” brochure). Over the next three years, “more than \$30 million of gold came out of Alder Gulch” [...] making the strike “the richest placer gold discovery in history. The “Virginia City, Montana” brochure explains that to date, [Alder Gulch] has yielded more than \$130 million of nuggets, flakes and gold dust.”

Though settlements dotted the Gulch, Nevada City and Virginia City were the two primary commercial centers of the area (“Guide to Nevada City, MT” brochure). One reason for this was the latter town’s structure. As stated earlier, many of the “Fourteen-Mile City’s” inhabitants remained in tents for long periods of time. Virginia City,

Plummer had the appearance and address of a gentleman, an attractive personality—especially ingratiating with women—and a manner which inspired confidence in most men. He was, in fact, a cold-blooded, calculating villain, secretive to the last degree, possessed of great organizing and executive ability. He seems to have been something of a politician.

The day before the election he purchased lot No. 10 on Second Cross Street in Bannack with the announced purpose of building a residence there; he intended to be married in a few days to a lady at Sun River crossing. Elected, he announced the appointment of his deputies: D. H. Dillingham, chief deputy; Buck Stinson, Ned Ray and Jack Gallagher, deputies. (Callaway 14-15)

Plummer's deputies were assigned to administer over each of the main mining camps. Because Virginia City was not yet settled enough to elect its own officials, Plummer's jurisdiction encompassed the Alder Gulch region—once the strike was discovered there. The new sheriff immediately began to fulfill his duties. As stated earlier, since former-Sheriff Crawford had yet not executed Jack Horan, Plummer promptly hanged the prisoner after the election (Linderman 96, 151). The miners' court's rulings had begun to be enforced.



Drawing of Henry Plummer
By C. M. Callison Diaz

Two other well-documented trials occurred during Plummer's administration. In June of 1863, when Plummer was on his wedding trip two men and one of his deputies were tried for the murder of his chief deputy, Dillingham (Mather and Boswell 72, Callaway 21). Dillingham had evidently foiled a robbery planned by the three men by

As researchers McRae and Jewell have noted, the tents lining Grasshopper Creek and Alder Gulch were filled with a variety of inhabitants. Some came to mine, others to provide services and entertainment to the miners; merchants, saloon keepers, packers, miners and prostitutes filled the area. And, as usually occurs in the narrative of American expansion, when “civilization” moved to a “new” area, the “good” and “bad” looked remarkably similar to one another.

Richard Slotkin examines civilization as western colonial terminology, asserting that in Western history, there were more battles than cowboy against Indian, or settler against savage:

In the traditional terminology of the Frontier Myth, the coming of “civilization” and the establishment of a legally constituted government were regarded as virtually synonymous. [Owen] Wister distinguishes “civilization” from “government” by arguing that certain forms of democracy produce a degenerate form of politics: one in which the mongrels and failures, the “equality,” are enabled to assert against the “quality” their claims for power and a redistribution of wealth. (181)

The battle over which class was truly “civilized” was a bloodier front than most struggles for colonial Western expansion. By demonstrating Wister’s theory of Western social construction, Slotkin elucidates how and why vigilantism came about:

The crucial battle of the mythic Frontier is therefore not simply the struggle between White republican and Red savage but the struggle between “true aristocracy” and false democracy. This latter internal struggle is what literally threatens the existence of “civilization” as such; savagery proper was never more than a figurative threat, although savage war has been the school in which the defenders of civilization have acquired their “manhood” and all the attributes of skill and character that define heroic virility. (181-82)

Thus, Slotkin suggests, the wars against “savagery” were used more as a rite of passage for men than as a basis for civilization; true civilization only occurs in the hands of the “right kind” of man. Slotkin explains that in the mythic West, “quality” takes precedence

over “equality.” He notes, “The political allegory around which [Owen] Wister builds his narrative thus moves from the proof of his Darwinian thesis, that all men are created unequal, to the demonstration that “the quality” are naturally entitled to rule “the equality” (182). Though he is explaining Wister’s theory conveyed in *The Virginian*, Slotkin clarifies one basis of Frontier colonialism. If settlers perceived two kinds of men, the “quality” and the “equality,” the nature of the dichotomy would certainly privilege the former. With such a hierarchy in place, the men seen as more “civilized” could easily have usurped and exercised power over the less elite:

He proves the latter point by showing that “civilization”—a higher value than any particular form of politics—can be defended from the forces that menace it only by an armed and virile elite that is willing and able to take the law into its own hands and substitute itself for the will of the people. But “virility” itself has a value that is nearly equivalent to that of “civilization,” as something that must be defended at any and all costs. (182)

Thus the more “civilized” men were granted power over others since the former seemed better skilled at creating a stable and settled society.

Slotkin’s *Virginian* model applies readily to the Virginia City Vigilantes. If the Vigilantes didn’t believe themselves in some way above their twenty-nine victims, members of the Committee may perhaps have questioned their right to execute men without trial. Yet, if they believed themselves to be “quality” eradicating the “equality” element in order to defend and better establish true civilization, the Vigilantes could easily have justified several hangings.

Slotkin’s model doesn’t only apply to the Vigilantes, however. Wister himself resembles many of the pro-Vigilante writers quintessential Montana history has been drawn from. Like the “quality” members in Wister’s works, the Vigilantes preserved their virility in text, praising themselves through their stories, which were then passed from

novels into Montana's historical timeline. Slotkin's distinction between equality and quality clarifies the division between the Vigilantes and their victims. No longer are men "bad" or "good," innocent or guilty, Confederates or Yankees. They are simply the quality that is necessary for "civilization" to thrive, and the equality that is necessary for "virility" to conquer and eradicate.

Territorial Status—the Need for Self-Government:

Since settlers of diverse backgrounds had come to the mining towns from far and wide, each was a stranger to the other. Rarely did one find a partner or friend whom one trusted completely. And with good reason: men and travelers, individuals and stages were being robbed between Virginia City and Bannack, usually as the miners journeyed to Salt Lake City with their "clean up." The lawlessness of the region permeated the towns themselves, as miners were robbed or killed in or near settlements.

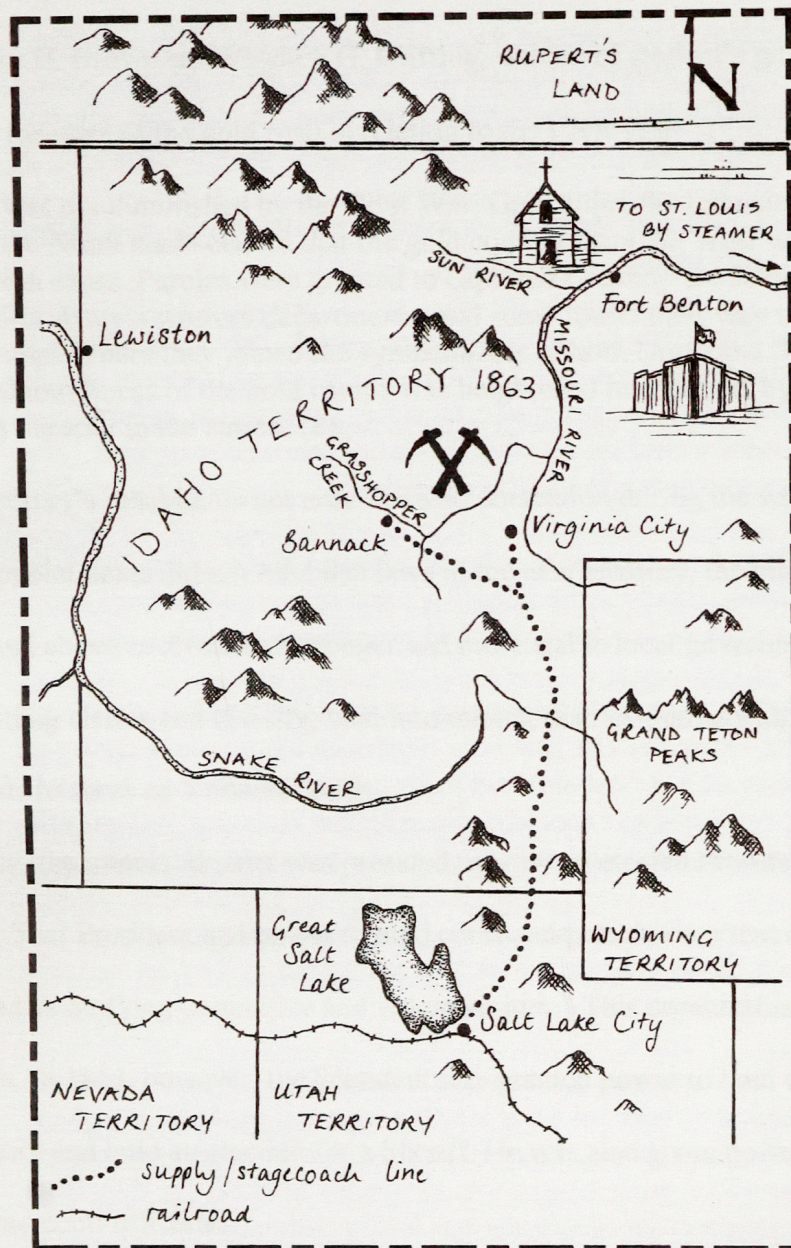
Louis Schmittroth, researcher and designer of the Henry Plummer website, explains the logistical classification of western Montana. Though once part of Washington Territory, the section of land in which the Vigilantes operated was classified as part of Idaho Territory in 1863.⁵ Though Territorial status was unsettled, small mining governments were established long before federal government arrived in the area.

Schmittroth indicates that:

Before the organization of the Territory of Idaho on March 3, 1863, all of what is now Montana west of the Rocky Mountains was part of Washington Territory, with Olympia on Puget Sound for a capital. All east thereof belonged to Dakota, the capital of which was Yankton on the Missouri, nearly 2220 miles from

⁵ Despite early petitions from the mining towns in Western Montana, Montana itself wasn't granted territorial status until May 26, 1864 ("Walking Tour Guide to Virginia City, MT" brochure).

Bannack. Almost from the day John White discovered gold on the Grasshopper (July 28, 1862) there was an organized Mining district to record claims, adjudicate disputes, allocate water, and generally act in civil cases. (8)



IDAHO TERRITORY

Map courtesy of M. A. Macpherson and Eli MacLaren

Though the settlement of Bannack had written its own local laws, federal attention toward the West was minimal. With the Civil War waging violently in the east, Lincoln's administration hardly had time to send authoritative justice to the newly-settled Idaho Territory. Margery H. Brown and Virginia G. Griffing, writers of student's guides to Montana, clarify the state of the gold rush in relation to the Civil War.

The rush was not diminished by the Civil War. Gold aided the financing of the war, and the North made certain that the gold coming from the West was directed to the Union cause. Paroles were granted to captured Confederate soldiers to serve in the Union Army's western departments, and some found their way to the mining camps. There they joined the sympathizers of both North and South, and the typical unruliness of the gold camps was heightened in Montana by brawls reflecting the split in the nation. (8)

However, the territory's inhabitants not only fostered contention during the war. Since federal officer appointments did not establish laws in the new territory, the mining districts mentioned above evolved into stronger and more stable local governments. In addition to recording claims and dividing land into mining districts, miners also elected their own officials to serve on a miners' court.

Originally, the miners' district was presided over by an elected President of the Mining District. That President had power to hold court and preside over that court, while the miners served as ratifying committee and volunteer jury.⁶ This organization worked well for a season. In 1863, however, the President was granted power to hold a formal trial, appoint a jury and hold an election for a Sheriff. He was also given power to hold elections for other court officials.

Louis Schmittroth explains the evolution of Bannack's Miners' Court. He cites the records of the Bannack Mining District: "At a miners' meeting of the miners of

⁶ Any settler could attend the district meetings. No specific representatives were appointed to the ratifying committee. Originally, when court was held, the entire group of miners in attendance could serve as jury.

Bannack District, held on the 19th day of October A. D., 1862, for the purpose of forming and passing laws for the government of the District, the following laws and regulations were reported by the Committee, and adopted and ratified by the people” (23). He then lists all the statutes and laws the miners in attendance had agreed to, each focusing mainly on claims and the forfeiture thereof. One section is particularly important to the story of the Vigilantes since the section allows for the election of a Sheriff.⁷ Section 17 states, “The President may, at any time he may think proper, appoint a Sheriff to act in any case pending, or being commenced” (Schmittroth 24). Schmittroth notes, “As the population of Bannack grew over the winter and spring of 1863, the need for a more formal government appeared. The new laws gave the President of the District the power to hold a trial and summon a jury” (24). He continues, “Finally, in late May of 1863, a much more specific set of laws stating the responsibility of the elected officers was adopted. This was the date of the election of Burchett as Judge, Castner as Coroner, and Plummer as Sheriff. The president of the Mining District, W. B. Dance, seems to have been chosen by acclamation” (24). More discussion of the election will follow later as Henry Plummer is introduced.

On the whole, the miners’ courts did not seem hesitant to hold trial for a suspected criminal. Yet, the outcome of the trial was often impacted by the violent tendencies of the defendants and the fear those tendencies catalyzed in a jury. For example, one trial was held just before the May 1863 election. Charley Reeves attempted to take a woman he had “bought” away from her friends by force. Because Reeves and his accomplices

⁷ This section is vital to our discussion of the Vigilantes since they later hanged the Sheriff—on gallows he himself had commissioned to be built.

eventually killed a white man in the ensuing scuffle, they were tried and sentenced.

Nathaniel Langford, a friend of the soon-to-be Vigilantes, tells the story of this tragedy:

In January 1863, the notorious scoundrel, Charley Reeves bought a squaw from the Sheep Eater tribe of Bannacks. She soon fled from him to her friends to escape his abuse. The tepee was located on an elevation south of that portion of the town known as “Yankee Flat,” a few rods in rear of the street. Reeves went after her. Finding her deaf to persuasion, he employed violence to force her return to his camp. An old chief interfered and thrust Reeves unceremoniously from the tepee. Burning with resentment, Reeves and Moore fired into the tepee the next evening, wounding one of the Indians. They then returned to town, where they were joined by William Mitchell, with whom they counter-marched, each firing into the tepee, and this time killing the old chief, a lame Indian, a papoose, and a Frenchman by the name of Cazette, who had come to the tepee to learn the cause of the first shot. Two other persons who had been influenced by similar curiosity were badly wounded. When the murderers were afterwards told that they had killed white men, Moore with a profusion of profane appellations said “they had no business there.” (Langford 83)

A miners’ court trial ensued, but the jury was afraid for their lives and sentenced Reeves, Moore and Mitchell to nothing worse than banishment from the territory (Langford 83-89). The records of such lawless brutality clearly justify peace-keeping efforts the settlements of Bannack and Virginia City attempted. Though the three banished men later returned to Bannack—proving a stronger enforcement of sentencing was necessary—the trial illustrated the miners’ court was functional and served its purpose.

Another trial acquitted newcomer Henry Plummer of killing his traveling companion Jack Cleveland. Though historian Frank Bird Linderman claims Plummer shot his “friend” out of jealousy and self-preservation (Cleveland had apparently traveled with Plummer from Lewiston and knew about Plummer’s past), other texts suggest Cleveland was boasting boisterously in a saloon one night when Plummer shot him: “Several witnesses testified that they had on various occasions heard Cleveland threaten

to shoot Plummer on sight” (Langford 84). The miners ruled Plummer had acted in self-defense (Callaway 15).

Because the Moore and Reeves sentence was ineffective and Plummer was acquitted, settlers felt current lawmen were not fulfilling their duties. In addition, as I mentioned earlier, those who served on the court and in the jury reportedly feared for their lives if they found the accused guilty. In such a circumstance, the establishment of a vigilance committee to carry out the miners’ court’s rulings may have been well received.

Both of these examples of the miners’ court in action have been used as justification for the Vigilante’s actions by most pro-vigilante authors. Writers like Langford believe quick hangings without trial were necessary; just punishment could not be served with sentences of acquittal and banishment. Yet, when the Vigilantes were established, they paid no attention to juries or public trials. In fact, when the committee members organized themselves, Sheriff Henry Plummer had hanged one man found guilty—at least a possible attempt at enforcing the miners’ court’s law. On his arrival to Bannack in December of 1862, Plummer arrested and turned over Jack Horan to the then-sheriff Hank Crawford. A miners’ court was held and Jack Horan was convicted of murder. Later, when Plummer was elected Sheriff, he erected a gallows for Horan’s hanging.⁸

⁸ Perhaps because of the contention for the upcoming election for sheriff, or because Plummer initiated a dispute, Crawford shot Plummer when he wasn’t looking, hitting his target’s right arm and crippling him seriously (Callaway 15, Linderman 138). Before the shooting, Plummer was rumored to be the fastest draw in the territory. Supposedly fearing for his life, Crawford left Bannack forever soon after the argument (Linderman 139). Some pro-Vigilante authors suggest Crawford’s fear and flight was catalyzed by Plummer’s powerful position as head of a gang of outlaws called “The Innocents.” Others suggest his flight was because he shot Plummer from the back, a supposed sign of cowardice—an action that may have increased Plummer’s popularity as sheriff.

Enter Henry Plummer:

The town of Bannack replaced their sheriff, Crawford, with a newly-arrived man who commanded immediate respect; Henry Plummer was elected Sheriff on May 24, 1863. Lew L. Callaway records the election in his text, *Montana's Righteous Hangmen*.⁹ His record is especially interesting in light of Slotkin's discussion of quality versus equality; Callaway presents a personal opinion of each elected official along with the facts of the election:

One Henry Plummer was elected sheriff of Bannack district on May 24, 1863, at a miners' meeting presided over by Walter Booth Dance, president of the district, with D. H. Dillingham acting as secretary. That the election was a fair one can hardly be doubted. It was held to elect a judge, sheriff, and a coroner (certainly a coroner was needed!) for the district. B. B. Burchette and J. M. Castner, respectively elected judge and coroner, were men of probity. The presiding officer, "Judge" Dance, was a man of undoubted integrity; indeed, he was many years a distinguished citizen and servant of Montana Territory. [...] The election of Plummer is one of the strangest episodes in American history. Over five hundred votes were cast and Plummer received a large majority. A respectable minority distrusted the man and supported Jefferson Darley. It is true that Plummer's long record of betrayal and murder was unknown to the people of Bannack, unless to a few of his former associates; and they wisely kept still. [...] The fact that Plummer was a professional gambler did not seem to impress the majority unfavorably.

Such mention of Plummer's occupation suggests that some did find his gambling unfavorable. Perhaps Callaway's sources found Plummer himself a man of "equality" rather than of "quality."

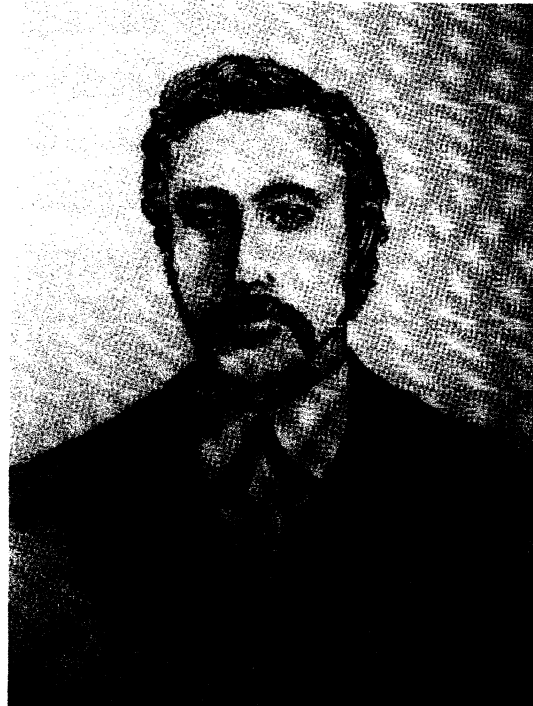
Callaway continues with an opinion of the sheriff that betrays the author's support for the Vigilantes' later dealings with Plummer:

⁹ It should be noted that Callaway was born four years after the Vigilantes organized. Because of this time frame, his book could easily have depicted both sides of the Vigilante story. However, all sources referred to are stories told by ex-Vigilantes amused or revered by the memory of their hanging spree. With such

Plummer had the appearance and address of a gentleman, an attractive personality—especially ingratiating with women—and a manner which inspired confidence in most men. He was, in fact, a cold-blooded, calculating villain, secretive to the last degree, possessed of great organizing and executive ability. He seems to have been something of a politician.

The day before the election he purchased lot No. 10 on Second Cross Street in Bannack with the announced purpose of building a residence there; he intended to be married in a few days to a lady at Sun River crossing. Elected, he announced the appointment of his deputies: D. H. Dillingham, chief deputy; Buck Stinson, Ned Ray and Jack Gallagher, deputies. (Callaway 14-15)

Plummer's deputies were assigned to administer over each of the main mining camps. Because Virginia City was not yet settled enough to elect its own officials, Plummer's jurisdiction encompassed the Alder Gulch region—once the strike was discovered there. The new sheriff immediately began to fulfill his duties. As stated earlier, since former-Sheriff Crawford had yet not executed Jack Horan, Plummer promptly hanged the



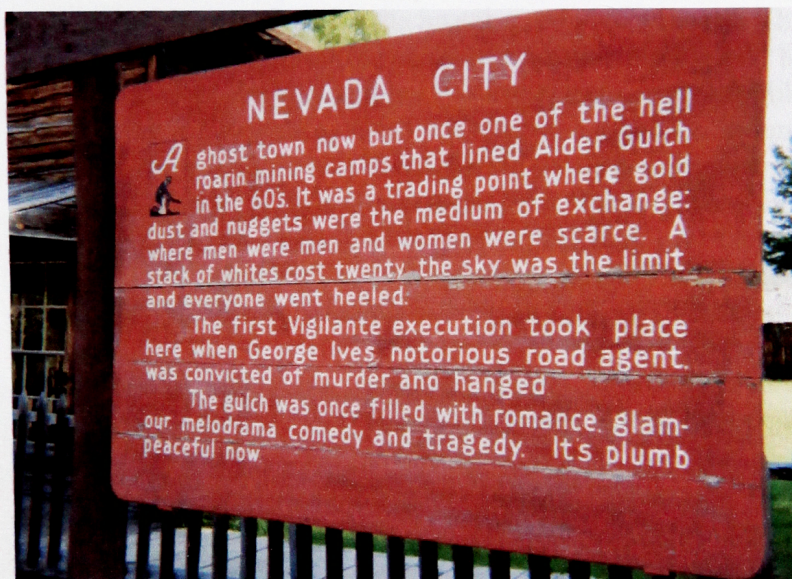
Drawing of Henry Plummer
By C. M. Callison Diaz

prisoner after the election (Linderman 96, 151). The miners' court's rulings had begun to be enforced.

Two other well-documented trials occurred during Plummer's administration. In June of 1863, when Plummer was on his wedding trip two men and one of his deputies were tried for the murder of his chief deputy, Dillingham (Mather and Boswell 72, Callaway 21). Dillingham had evidently foiled a robbery planned by the three men by

warning potential victims of the proposed assault. Calling Dillingham away from the miners' court in Virginia City, the men pulled the chief deputy aside and supposedly shot him (Callaway 21). Lyons and Stinson were tried first and found guilty by the court. Subsequently, Forbes was tried and acquitted. The men were walked to the scaffold built for the occasion by future Vigilante, X. Biedler.¹⁰ As the "guilty" men walked to the gallows, their cries so moved the women in the audience that the ladies persuaded the court to vote again. The mass of onlookers then voted to acquit the plaintiffs (Callaway 21, Dimsdale 81).

On another occasion, while Plummer was at Fort Benton, citizens of Alder Gulch



This historical marker mentions gold, romance and violence: the Ives trial is center-stage in Nevada City's history.

took matters into their own hands (Mather and Boswell 66). As the boy Nicholas Tballt was relocating a span of mules from Dempsey's ranch to Summit, he was accosted, robbed of his \$200 payload and killed. The mules were taken to

a ranch on the Big Hole River. It took ten days for anyone to locate the body, when finally a man shooting grouse retrieved his bird from the chest of the dead man. The

and records. His opinions should be taken as a perpetuation of the vigilante myth.

¹⁰ X. Beidler was never paid for digging the graves because they were not used. Various townsmen teased X. for having done work for free. Some historians suggest this ridicule urged Beidler to incite revenge on the defendants as executioner for the Vigilantes.

hands of the corpse had grass in his hands and a lariat mark on his neck (Callaway 23).

Long John Frank, after being interrogated with a rope and a gun, mentioned George Ives' name and a trial was held in Nevada City. The star witness was Long John, who had been promised freedom if he testified against Ives (Mather and Boswell 9). The trial lasted three days, finally concluding in a guilty verdict. The third day, December 21, 1863, George Ives was hanged for murder, though he claimed innocence. The Montana Heritage Commission and Montana Historical Society record details of this specific trial in their guide pamphlet to Nevada City:

Everything from mining titles to murder trials fell within the jurisdiction of the miners' courts. Nevada City's main street was the setting for the miners' court trial of George Ives for the brutal murder of Nicholas Thiebalt [sic]. The trial was a dangerous undertaking because emotions ran high on both sides of the law. Wilbur Fist Sanders [future Vigilante] carved an indelible place in Montana history for his role as Ives' prosecutor. Judge Don Byam sat in a wagon and the jury made a half circle around a big log fire. One eyewitness estimated that nearly two thousand people from all over the region choked the thoroughfare. Ives was convicted and hanged. This momentous event, which concluded on December 21, 1863, was the catalyst for the forming of the vigilance committee, or Vigilantes, on December 23. ("Guide to Nevada City, MT" brochure)



Sign posted on
Nevada City's main street

As the above pamphlet asserts, the Ives trial is seen as the event that initiated the organization of the Vigilantes. Since Sheriff Plummer was away at the time Thibalt was found, those who organized and carried out Ives' trial were self-empowered with judicial authority. To

those frustrated with circumstances in the mining camps, the seemingly successful trial served as proof that law officers were not doing their duty—the only time hangings

seemed to take place was when the sheriff was out of town. Indeed, the sheriff seemed an obstacle to those striving to eliminate the “bad” element of society. The Ives trial instilled in the trial’s officiators a sense that law could only be handled correctly by the “quality” few. If the miners’ court law officers weren’t needed to reach and enforce justice (usually visible as a guilty verdict), perhaps they weren’t the “quality” men Virginia City and Bannack needed. Likewise, as Callaway alluded to earlier, some felt Plummer’s occupation deemed him a less-than-ideal representative for the mining towns.

Vigilantes—Known for Their Talent with a Rope:

The Ives trial provided key members of the towns the momentum necessary to organize a vigilance committee, as well as evidence that they—not Plummer—were the one upholding the law. For months, the miners had not had the courage to convict anyone in their court. Until the Ives trial, the only trials that had succeeded in a guilty verdict took place before the law officers’ election. In the eyes of some, an earnest trial had finally brought some semblance of justice to the settlements. These men thought it was time they took justice into their own hands.

How the Vigilantes formed, no one knows. Linderman seems to think men from Bannack discovered a common bond in their Masonic membership—that many men were members of the Masonic Lodges in the east. With this knowledge, they formed a coalition and decided to rid the communities of robbers and murderers (Linderman 159-62). Some claim the first meetings of the Vigilantes in Virginia City were held in Montana’s first Masonic temple, located on the town’s main street (“Daily Attractions!”

2). Regardless of how they assembled, the Vigilantes organized and signed an oath just days after Ives was executed. (See introduction for a record of the oath signed 23

December, 1863.)

Since Long John had been such a key player in the Ives' case, leaders of the Vigilantes trusted his "criminological" expertise yet again. They urged him to testify that "local criminals had organized into a formidable band that



The Masonic Lodge—rumored to be place the Vigilantes were organized

intended to take control of Alder Gulch" (Mather and Boswell 9). Their first target was a man Ives claimed had committed the Tbolt murder: Aleck Carter. After a long and arduous chase, they collected not Carter, but two of the men they were convinced had warned Carter of their coming: Red Yeager and George Brown. Red Yeager denied knowing anything of an outlaw gang, but after being convinced he would be taken to Virginia City for trial, Red listed a group of men and their standing in the outlaw gang, asking the men to please "punish" the others. George Brown, Red's fellow prisoner, refused any knowledge of the gang and continued to cry for his wife and babies until the noose broke his neck. Both men were hung without being taken to Virginia City for trial, as the Vigilantes had promised them (Mather and Boswell 15-20).

Red's list is particularly important in any discussion of the vigilance committee because it is the evidence the Vigilantes used against each of their victims. Because Red, a supposed fellow gang member, had listed the men as fellow outlaws, the Committee

hunted each of them. Though the Vigilantes termed Yeager an outlaw and a thief, they nonetheless trusted his judgment in matters of identification. They felt he would not lie or act vengefully toward the men he listed; they must be guilty, if Yeager claimed they were.

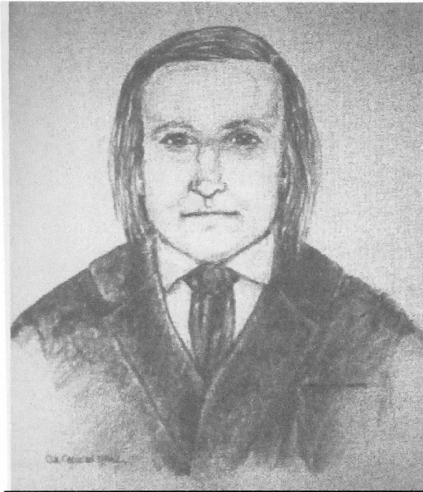
Mather and Boswell have done extensive research on the Vigilantes and the men they hanged, delving through countless archives to find family histories and chronological locations of each of the Vigilantes' victims. In their book, *Vigilante Victims*, they question the existence of such a list:

According to [Thomas] Dimsdale, [Captain James] Williams ordered that Yeager's "words should be taken down." Thus the captain supposedly left the interrogation session with a written list of gang members. Yet, when quoting from this critical confession, four provigilante [sic] writers have come up with four different lists. Beidler, who was present during the confession, dictated twenty-three names for his journal. Yet Dimsdale added five more names to Beidler's list, and, though Langford agreed with Beidler in regards to the number of names on Red's list, he omitted four names Beidler had included and substituted four of his own. And Lew Callaway, who knew Captain Williams well and agreed that Yeager's confession was "committed to writing," prepared a roster which does not agree with any of the other three. Since the vigilantes preserved their "Oath," their "Regulations and Bye Laws," and even "Groceries Bought," but failed to retain the single document which might have justified lynching twenty-one men, no comparison can be made with the alleged original. (Mather and Boswell 165-66)

It should be noted that not only was the list not retained for future analysis, but also Colonel Wilbur F. Sanders (nephew to Territorial Governor Sidney Edgerton and staunch lieutenant of the vigilance committee) later served as head of the Montana Historical Society.¹¹ Certainly if Red's List existed, this man had the power to retain the document for posterity.

¹¹ I have seen the Vigilante records at the Montana State Historical Society and Mather and Boswell are correct: no list has been preserved there.

The vigilance committee had a list, regardless of who contrived it, and armed with



Drawing of Buck Stinson
By C. M. Callison Diaz

the names of these “proven” criminals, the Vigilantes had only to round up the men Red had accused.

Among those “marked men” were the miners’ law officers residing in Bannack: Sheriff Henry Plummer, and deputies Ned Ray and Buck Stinson.

These three officers were collected on January 10, 1864. Buck Stinson was eating dinner at a neighbor’s

home after church. Henry Plummer was sick in bed.

Ned Ray was asleep at a gaming table. Each was

dragged to Hangman’s Gulch and informed they had been tried and were found guilty of being road agents; moreover, they were told Plummer was their alleged leader. Because some of the stages from the mines to Salt Lake City had been robbed, it was supposed that the lawmen were the most likely candidates for the robberies because of their knowledge of specific cargo and freight on the stages. There is no existing evidence, save word of mouth, “that the Bannack sheriff headed an outlaw gang” (Mather and Boswell 55). None of the men got so much as a conversation with their captors before they were hanged. Though Plummer asked for a “good long drop,” the men were each pulled from the ground without so much as an inch for a drop (Mather and Boswell 29-55)¹²

Dimsdale, in his “Correct and Impartial Narrative of the Chase, Trial, Capture and

¹² A long drop is preferred because a condemned man’s weight causes the neck to snap, facilitating a quick death. Being pulled up slowly, as these men were, causes slow and painful strangulation.

Execution of Henry Plummer's Notorious Road Agent Band," describes the hangings this way¹³.

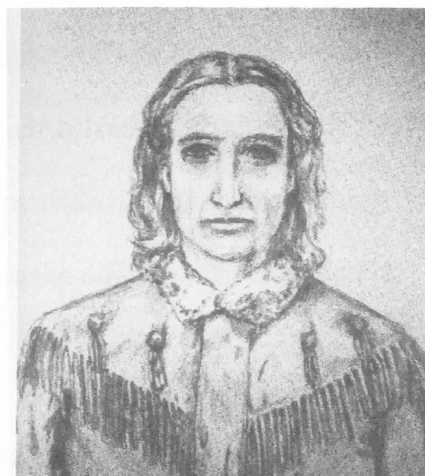
Plummer exhausted every argument and plea that his imagination could suggest, in order to induce his captors to spare his life. He begged to be chained down in the meanest cabin; offered to leave the country forever; wanted a jury trial; implored time to settle his affairs; asked to see his sister-in-law; and, falling on his knees, with tears and sighs declared to God that he was too wicked to die. He confessed his numerous murders and crimes, and seemed almost frantic at the prospect of death.

The first rope being thrown over the cross-beam, and the noose being rove, the order was given to "Bring up Ned Ray." This

desperado was run up with curses on his lips. Being loosely pinioned, he got his fingers between the rope and his neck, and thus prolonged his misery.

Buck Stinson saw his comrade robber swinging in the death agony, and blubbered out, "There goes poor Ned Ray." Scant mercy had he shown to his numerous victims. By a sudden twist of his head at the moment of his elevation, the knot slipped under his chin, and he was some minutes dying.

The order to "Bring up Plummer" was then passed and repeated; but no one stirred. The leader went over to this "perfect gentleman," as his friends called him, and was met by a request to "Give a man time to pray." Well knowing that Plummer relied for a rescue upon other than Divine aid, he said briefly and decidedly, "Certainly; but let him say his prayers up here." Finding all efforts to avoid death were useless, Plummer rose and said no more prayers. Standing under the gallows which he had erected for the execution of Horan, [...] Plummer requested that the men would give him a good drop, which was done, as high as circumstances permitted, by hoisting him up as far as possible in their arms, and letting him fall suddenly. He died quickly and without much struggle. (Dimsdale 148-49)



Drawing of Edward Ray
By C. M. Callison Diaz

Though Dimsdale's text is the favored narrative among Vigilante scholars, his language is anything but "impartial" as he claims. I quote from Dimsdale at length to note the

¹³ Because Dimsdale's text has been a favorite resource of authors, historians and interested readers, it, more than any other text, has shaped narrative consciousness of the Vigilante episode in Montana. Therefore, I am going to cite that text at length. His language is especially important to note, as he claims objectivity towards the events. This supposed "objective" text has provided the narrative foundation for

justification he grants those involved in the three hangings. His pathos-laden adjectives verify the accused men's guilt and heroicize members of the committee. However, Mather and Boswell's research illustrates the hangings quite differently. As previously mentioned, these scholars have thoroughly researched their narrative of the events. Each claim from their text, which I will cite, is accompanied by meticulous footnotes citing the archival location of the original narrative described. Note the difference in Dimsdale's and Mather and Boswell's records:

The line of armed men formed a tight circle about the three prisoners. [...] They intended to carry out an immediate lynching and would have done so except the leaders discovered that in the press to enlist men, they had forgotten to obtain dry goods boxes as drops. A second oversight, they had enough rope to hang only one man. Sanders sent Henry Tilden dashing back to the Edgerton cabin for more rope, and as they waited, the vigilante lieutenant turned to the prisoners. "If you have anything to say," he advised, "do so at once. Your time is short."

Plummer replied for the group: "We want a fair trial."

"We've already held your trial," the leader said, "and the only trial you will have will be at the end of a rope."

Plummer did not give up. He had on more than one occasion dispersed a lynch mob, and with Buck and Ed adding their voices, the sheriff attempted to appeal to his captors' sense of justice. Listening to the three law officers' pleas, vigilante William Roe could "not blame them in the least." Anyone, he thought, "would have done as Plummer did, if he thought a talk would have given him his liberty." Still Roe and his companions remained unmoved. "It is useless for you to beg for your life," the lieutenant said. "You are to be hanged."

As all present realized, the miners' courts allowed a condemned man at least an hour to arrange final matters. "Give us time to settle our business affairs,"

Plummer asked. The request fell on deaf ears. Tilden had now arrived with the rope, and trembling, cold-stiffened fingers were knotting the special loops.

Guards pinioned Ed Ray's arms and led him toward a dangling noose. Later, vigilantes would report that each law officer received a high drop; chroniclers would record that fact, and posterity would believe it; but a member of the lynching party told quite a different story.

[...] "Walk under the rope," a guard instructed Ray.

Ed moved forward and then hesitated. "Hold on," he said, "I want to pray." But when he did not speak any words aloud, one vigilante slipped the noose over his head and cinched it about his throat.

most Montana Vigilante stories, and therefore, helped create and perpetuate an important aspect of the Frontier myth.

“Pull up!” the executioner shouted, and men grasping the end of the rope, which had been tossed over the crossbar, yanked with such force that the gallows tilted backwards. Quickly they relaxed their grip lowering Ray back to the ground. During the struggle, he broke the cord about his arms and inserted his fingers under the rope about his neck. Without bothering to remove the trapped hand, the executioner called for a second time, “Pull up!” They obeyed, and for several moments the deputy writhed at the end of the noose. Then one vigilante jerked the hand loose, allowing the rope to strangle Ray. His eyes and tongue protruded and his body twisted violently. It was some time before the spasms subsided.

[After Stinson’s execution] The executioner then called for the guards to bring up Plummer. Even under such demeaning circumstances, the sheriff retained a certain air of authority, and his captors hesitated to perform their assignment. They realized that there was “something terrible” about hanging such a man. The lieutenant walked over to Plummer and stood facing him; then he signaled for his men to bind their final victim. Plummer stood quietly as they tied his hands and then walked under the third noose. As the executioner placed it about his neck he said, “Give me a high drop, men,” but instead they gently tugged at the rope, slowly lifting him from the ground. Then they wrapped their end of the rope around one upright and stood watching the sheriff’s death agony. The human body does not succumb readily to death by strangulation; sometimes there is a pulse for as long as eight minutes.

To be certain that none of the three victims still had life in their bodies, the vigilantes kept a half-hour vigil. (Mather and Boswell 52-54)

However similar the stories seem, the tone of the two narratives obviously conflict—the former highlighting the bravery of and justice upheld by the Vigilantes, the latter explaining the hangings weren’t as glorious or just as the first suggests. Mather and Boswell cite Dimsdale as one of their sources, but they also refer readers to three other, less popular primary texts. Since Dimsdale’s publication was paid for by the vigilance committee (see Introduction), readers are left to decide which version of the hangings is more correct.

It is narratives like this that confuse the vigilance issue. Establishing a connection between “Justice”—a slippery term—and any hangings without trial is an arduous, if not impossible task. Historians still struggle over the alleged evidence surrounding the Plummer trial. Mather and Boswell explain:

Though there is no evidence that the Bannack sheriff headed an outlaw gang, posterity believed the charge simply because the vigilantes hanged him. In 1864 many of his former constituents had followed the same line of reasoning: “Plummer was the last man that one would take to be a highwayman,” Judge Woody stated. “I never dreamed or imagined that he was a road agent, until after I learned he had been hanged as such.” (55)

As will be investigated in Chapter Two, celebrated myths of violence have dangerous repercussions for societal sensibilities.

Murder and Mayhem:

After the sheriff had been hanged, “the popular excitement rose nearly to madness” (Dimsdale 152). Vigilantes gathered the excited public and informed them of another name on Red Yeager’s list: Spanish Frank. Spanish, or Mexican Frank, was a co-worker Yeager’s at Rattlesnake ranch. He was supposedly staying at a cabin “up the creek from Thompson’s store” (Mather and Boswell 57). An armed company approached and noticed no tracks in the snow outside the cabin; they were convinced the boy was still inside.

After kicking in the door to the cabin, George Copley and Smith Ball entered and were each shot from the shadows of the cabin (Dimsdale 152). Both men were wounded. Since single shots seemed to be of no avail against the



Justice Sidney Edgerton
Courtesy of Montana State
Historical Society

man in the dark, Justice Edgerton (who Mather and Boswell note “stood among the

crowd holding his Henry rifle”) suggested using his small cannon, which he kept under his bed (Mather and Boswell 57). When the cannon was retrieved, the party shelled the building to the ground, burying the inhabitant in debris. Smith Ball emptied his revolver into the crushed man, while the rest of the group gathered line with which to hang the body. After the corpse was hung, “over one hundred shots were discharged at the swaying corpse.” Someone then suggested they burn the body and the cabin (Dimsdale 152-53). Not until days later did the mob learn of its mistake: the cremated victim was not Spanish Frank. Mather and Boswell explain:

The victim was one José Pizanthia. Rather than admitting the case of mistaken identity, vigilantes spread the word that Pizanthia had been “one of the most dangerous men that ever infested our frontier.” The rumor that “the Bannack Greaser” had thousands of dollars in gold dust cached in his cabin lured groups of treasure hunters to the cremation grounds. [...] Justice Edgerton assured his wife Mary that no miscarriage of justice had occurred. Pizanthia’s tiny cabin, he told her, “had been the headquarters for all those villains for a long time.” (59)

Mather and Boswell are quick to point out Pizanthia’s absence from Red Yeager’s list.

In January 1864, while Plummer was being hunted by the Vigilance Committee, two other men captured Dutch John Wagner two miles below Dry Creek Canyon Ranch. Neil Howie and John Fetherstun arrested the man, whose fingers were frozen with frostbite, and brought him to Bannack. After a few days in custody—two days after the hanging of the miners’ court officers—he was taken to the building where Plummer and Stinson’s bodies were still laid out and hanged (Dimsdale 141, 156-57). No trial had ensued during the days Dutch John was in custody.

On the 13th of January, the executive officers of the Vigilantes met in secret and determined to effect the deaths of five men, who now lie buried on Virginia City’s “Boot Hill”: Frank Parish, “Clubfoot” George Lane, Boone Helm, Hayes Lyons and Jack

Gallagher. Frank Parish, still sick even after months of bed rest, was taken while getting supplies at a store. It was the first time he had been away from his bed in two months (Mather and Boswell 63). Club-Foot George was arrested at a store in town where he was employed as a cobbler. Boone Helm



The original grave markers for the "Virginia City Five" are currently kept in a Virginia City museum

was arrested in front of the Virginia Hotel. Hayes Lyons and Jack Gallagher were easily apprehended and told they were guilty of being road agents and murderers (Dimsdale 158-65).



Virginia City: "Hangman's Building" where five men were hung in January, 1864

Each man was brought to an unfinished building on the main street of the town, now known as the Hangman's Building. Five ropes were fastened to the cross-beams and boxes placed under the nooses. Each made different requests, only some of which were granted. After each man had denied the charges against him, Gallagher asked who had accused him. Vigilante Paris Pfouts told Gallagher he was named by Red Yeager. Pfouts, however, was lying. Gallagher's name was not on Red's list—any of Red's lists (Mather and Boswell 67, Langford 195, Dimsdale 133, Callaway 60).

Each man was left hanging for two hours before he was conveyed to his friends for burial (Dimsdale 168).

Long after the five men were hanged in Virginia City, the town disinterred some of their graves to make sure the grave markers were placed in the right order. “Clubfoot” George Lane’s deformed foot was cut off and taken as evidence of his identity. It is now displayed,



This historical marker stands near the five graves

preserved in formaldehyde, in the Virginia City Thomas-Hickman museum (“Daily Attractions!” 1).

Over the course of the next three weeks, the Vigilantes’ killing spree continued. For instance, Stephen Marshland was accused of attempted robbery of the Forbes-Moody



These are the graves of the “Virginia City Five”: Helm, Lane, Gallagher, Parrish and Lyons.

caravan, which consisted of “three freight wagons and a string of pack animals” and “carried more than \$75,000 in gold dust and \$1,500 in paper money” (Mather and Boswell 104). The attempt to take the convoy was

futile, resulting not in the train's robbery, but in its gain; the attackers were wounded, and after their flight, members of the caravan shared their "abandoned property." Though the attackers wore masked hoods, members of the convoy assumed the assailants were the same two men they had seen hunting livestock two days earlier: Steve Marshland and Dutch John Wagner. However, "years later, a member of the Forbes-Moody party would deny that Marshland had participated in the Red Rock fiasco" (105).

What is yet more unsettling is that, in their pursuit of "frontier justice," the vigilance committee hanged a man with an ambiguous last name. When the Vigilantes reached the ranch where Steve Marshland was supposed to be residing, they found a man lying in bed with no company but a dog. His feet were so blistered with gangrene, the man could not stand when the vigilance party arrived. When asked, "Are you sick, Steve?" the man answered, "Yes, very" (Mather and Boswell 103). The Vigilantes had only this identification of their victim.

Though his executioners claimed that he was Steven Marshland, a "gentlemanly" youth who "used good language," had a degree from a college in the United States, and had arrived in the area with the same party as Red Yeager, public records reveal no Steven Marshland. His last name may have been Marsten, Marsden, or Morrison. Thus all that is known of the youth lynched on January 16 is that he answered to the name of Steve (at least in his ailing condition), that he had gangrene, and that he claimed to be a miner. (Mather and Boswell 105)

After cooking dinner for themselves, and providing their host with a cup of coffee, the vigilance party informed the man he was guilty of robbery and must die. As proof, the vigilantes claimed the man had a "recent [chest] wound [that] confirmed the guilt of the robber" (Langford 243).¹⁴ "Steve" responded faintly to all inquiries and claimed he'd "got the chills" (Langford 243). He claimed he'd "froze my feet while prospecting at the head of Rattlesnake Creek." Dimsdale records, "His feet being frozen and partially

mortified, the scent attracted the wolves, and the party had to watch both him and the horses” after the hanging (173). Other hangings followed shortly after that of “Steve.”

For instance, Bill Bunton was arrested hours after Marshland was hanged. Bunton was presumed to be the second-in-command of Plummer’s gang. When he was arrested, Bunton was informed of his guilt and urged to confess. Dimsdale records the arrest, citing Bunton’s plea of innocence:

He refused to confess anything, even his complicity in the robbery of the coach, where he played “pigeon.” Red had testified that he shared the money. He also denied killing Jack Thomas’ cattle; but Red had confessed that he himself was the butcher, and that he had been hired by Bunton, who called him a coward when he spoke about the skins lying round the house, as likely to be identified. There being no possible doubt [due to Yeager’s confession] of his criminality, the vote on his case was taken with the uplifted hand and resulted in a unanimous verdict of guilty. (Dimsdale 174).

Bunton himself, however, was not invited to the voting session.

Cyrus Skinner, Aleck Carter, Johnny Cooper, George Shears, Robert Zachary, and William “Whiskey Bill” Graves, were hanged in parallel fashion; each was captured, informed of his “proven” guilt and hanged (Dimsdale xii). Aleck Carter, Dimsdale tells us, “was accessory both before and after the fact of Tballt’s murder. This was proved” though “he denied all participation in the murder” (179). The author never tells us exactly how his connection to the murder was “proved.” Likewise, “Whiskey Bill” Graves denied his connection to the stage robbery he supposedly participated in. However, his accusers maintained:

“His guilt [...] was notorious throughout all the country.” Neither did they take time to rig a gallows. Instead, they bound his hands, lifted him to a seat behind a mounted rider, noosed him, and tied the other end of the rope to a strong tree limb. The man in the saddle then said, “Goodby, Bill,” and raked his spurs across the horse’s sides. As the animal bolted forward, Graves slid off the rump, striking

¹⁴ The man that attempted to rob the Moody-Forbes convoy had been shot in the chest as he retreated.

the end of the rope with a neck-breaking snap. Eager to rejoin the main party, the three executioners did not bother with a burial. (Mather and Boswell 143)

Just as the men before them had done, the above men swore they were innocent. The alleged gang was thereafter called “The Innocents” because each pledged his innocence (McRae and Jewell 14). Dimsdale claimed this was the “password of the gang” and not a truthful plea (175).



Robbers Roost, rumored hideout of Plummer's gang, is now a souvenir shop. Note the “3-7-77” allusion to the Vigilantes on the sign.

In addition to these twenty lynchings, there was one more hanging that has been concealed by generations of pro-vigilante rhetoric.

Dimsdale, Langsford and Callaway fail to list a twenty-first victim hanged in January 1864, just after Bill Graves's

execution. Yet, Alva J. Noyes's *Dimsdale's Vigilantes of Monanta*, a researched reworking of Dimsdale's novel, mentions an additional hanging performed by Charley the Brewer and “Dutch Charley” Brown. Mather and Boswell cite Noyes' text as the only vigilante narrative to include the unseemly actions of the “two Charleys.”

The vigilante duo were assigned to investigate a Rock Creek cabin assumed to be a hideout for the robber band. Upon reaching the cabin, they noticed only one occupant, asleep in the bed. Mather and Boswell describe the episode as Noyes records it:

As the brewer flung open the door, Dutch Charley rushed to the bed, shoved his gun to the sleeper's head, and then bound the man's hands with an elk skin string. “I have been expecting you fellows for some time, and have not been able to

sleep,” the captive said, “and I just did go to sleep when you came.” Speaking in German, Charley the Brewer asked his companion what they should do next. Apparently, nothing in Dutch Charley’s background had instilled in him the concept of a man’s right to trial. “We will hang him,” he answered. “They did not bother to ask the suspect’s name nor question him about his supposed crime. (Mather and Boswell 106)

Both vigilantes insisted “they only ‘wished to see justice done’” (106). As mentioned earlier, future authors failed to record this episode, either because the Charleys kept it largely secret, or because of its sordid nature. Regardless, the Vigilantes had hanged twenty-one men by the end of January 1864 (Mather and Boswell 144).

Killings Continued:

After the twenty-one members of Plummer’s alleged band were hanged, crime persisted throughout the Alder Gulch and Bannack areas. Thomas Dimsdale’s table of contents for his text, *The Vigilantes of Montana or Popular Justice in the Rocky Mountains*, gives a rather clear view of the state of the territory at the time. The last portion of the book is filled with tales of remaining miscreants:

- XXIII Capture and Arrest of Bill Hunter
- XXIV The Arrest and Execution of Captian J. A. Slade, with a Short Account of His Previous Career
- XXV The Execution of James Brady, for Shooting Murphy, at Nevada
- XXVI The Snake River Scout—Capture and Execution of Jem Kelly
- XXVII Arrest and Execution of John Dolan, Alias John Coyle, Alias “Hard Hat,” for Robbing James Brady of \$700 in Gold
- XXVIII Capture and Execution of R. C. Rawley
- XXIX The Trial and Death of John Keen, Alias Bob Black, The Muderer of Harry Slater
- XXX Capture and Execution of Jake Silvie, Alias Jacob Seachreist, a Road Agent and Murderer of Twelve Years’ Standing, and the Slayer of Twelve Men

Naturally, the Vigilantes saw it as their calling to administer their brand of justice until all crime was abolished from the new territory. Even pro-vigilante author Nathaniel Langford asserted that, despite their success in 1864, the Vigilante's had not eradicated all "bad men" from the mining towns. Mather and Boswell note one of Langford's personal letters as evidence that crime persisted post-January 1864:

Despite the claim that exterminating the alleged robber gang had "scourged crime out of existence," robberies did continue, and so did the lynchings. "Our country," Langford stated in a personal letter, "is still full of bad men." In the spring of 1867, [Three years after the original Vigilante hanging spree] Langford and the other members of the Executive Committee accused a Virginia City man of "being a spy and reporting to confederates in Idaho the dates when the treasure coaches left the Territory." [A claim not unlike that against Plummer.] Shortly afterwards, the accused man was found hanging from a fence rail with the word "Vigilantes" pinned to the back of his coat. (153-54)

Stories of such unchecked "judicial" violence suggest the previous hangings seemed to grant free reign to any form of personal "justice."

The Sullied Reputation of One Man = The Justification of Twenty-Nine Deaths:

Some of the men hung during the brief period of vigilante hegemony in the territory were most likely the lawless men they were assumed to be; however, the reputations of the others are more ambiguous. In fact, the majority of them had no criminal record before they arrived in the mining towns of Bannack and Alder Gulch. These men's lack of previous deviance has led Mather and Boswell to search for possible alternative reasons for their placement on Red Yeager's list. These historians propose that political differences, previous arguments with key committee members and regional

disputes could have catalyzed some victims' demise more assuredly than their membership in a robber gang:

The twenty-one victims of the vigilantes' winter spree had several interesting commonalities: more than three-fourths had arrived in the area with no previous criminal record, had come from "the other side" of the mountain [California, Washington or Oregon], had personal enemies among the vigilante leaders, and had never taken a human life. Of the nine who took an interest in politics, literally all were Democrats. And at the time of their capture, nearly half were either sick, wounded, or crippled. (Mather and Boswell 161)

These statistics could easily be coincidence: sickness was rampant in winter, perhaps many "bad men" came from the Western mining settlements, and often men fall in with undesirable elements after moving to a new town—such relationships could easily have fostered enough change in the men to urge them to rob and murder. However, the fact remains that each man was hung on the basis of word-of-mouth evidence alone: accusations knotted each noose. All possibility of coincidence aside, the source of rumor-based evidence could easily have been malice.

Henry Plummer, the alleged leader of the band, is one whose name has been sullied for more than a hundred years by rumors surrounding his past. Though only one man, Nicholas Talt, was known to have been killed in connection with a robbery, the Vigilantes "gained a great deal of support from the claim that the band regularly killed those they robbed" (Mather and Boswell 164). One rumor suggested that as many as one-hundred men had been killed by the Plummer gang. However, even Dimsdale's text assigns no names to the missing hundred victims. It is likely that the persons, whose unknown status was attributed to Plummer's malevolence, had either relocated without notifying family, or been killed by disease, accident, or other treachery not of Plummer's design (164).

Ironically, stories linked with Plummer's name were identical to others widely circulating in various Western mining towns. Therefore, stories of gangs operating in Washington and Idaho could easily have underwritten the myths that haunted Plummer. As Mather and Boswell explain, "It is therefore understandable that stories of the Plummer gang's two-year stranglehold on Washington persisted, despite conclusive evidence that Plummer spent less than two months in that area" (163-64).

Mather and Boswell continue, explaining that the rumored wealth of Plummer and his gang was just that—rumored. Calculations of the stolen loot prove the accumulated wealth amounts to no more than a few dollars per person:

As in Washington, the number of robberies claimed at the eastern mines was greatly exaggerated. Langford claimed that crime was so prevalent that "men were daily and nightly robbed and murdered." In reality, there were only three profitable robberies, and there is no evidence that the perpetrators of these three crimes worked together. From the two stage holdups, the alleged gang would have accumulated \$3,300 and from Nicholas Tiebolt [sic] another \$200, making each gang member's share \$23.33, a small payoff for a year of intensive spying. (Mather and Boswell 164)

As mentioned above, the charges against Plummer were "proven" by his access to stage routes and times. Since he had access to the schedule, he also had known who was traveling and the amount of money the stage carried. If the above numbers are correct, Plummer supposedly risked his position as Sheriff and his standing in the community to arrange seemingly non-existent payloads for his gang.

The stories of robbery and murder continued, however. They instilled fear in miners and gave rise to community opposition to the sheriff, despite good reports of Plummer's conduct and gentility.

While Vigilante supporters (Dimsdale, Callaway, Langford and Linderman) assert Plummer's allegiance to "The Innocents," Mather and Boswell's research disputes the

long-held claim. These biographers elucidate not only the judicial acts performed by Plummer while Marshal in California, as listed below, but also go on to quote three of Plummer's Montana constituents—Judge Frank Woody, Colonel McLean and John Largent—who testify to Plummer's character and good deeds. One story recounts how the sheriff ““had ridden for hundreds of miles through the coldest kind of weather in order to serve as our protector. . . . I never understood just what moved him to his act of sacrifice, which certainly showed a strain of nobility ran through this man”” (Mather and Boswell 55-56).

Mather and Boswell also cite examples of Plummer's so-called “action-packed” decade in California. As elected Town Marshal in Nevada City, CA, Plummer raided opium dealers, tracked arsonists and robbers. The end of his career as Marshal came when he was placed in San Quentin on a second-degree murder charge. The governor later pardoned Plummer because of testimony to his good character on the part of Nevada County and Yuba County officials (49). In the next year, Plummer made his way north to the Washington Territory mines where he earned the reputation as a gambler (49). He resided in Lewiston for a time before making his way east, supposedly to return home to the States (Linderman 67, Macpherson and MacLaren 30). Instead, he made it only to the government farm at Sun River, sixty miles from Fort Benton. There he stayed and courted Electa Bryan, sister-in-law to the Vial family who ran the mission at the farm (Macpherson and MacLaren 32). He married Electa the month following his election as sheriff.

The relationship between Electa and Plummer has instigated more narrative inquiry, almost, than Plummer's alleged crimes. Virginia Rowe Towle, in her book

Vigilante Woman, explains that not much is known about Electa's marriage to Henry Plummer. No one knows, even now, Electa's opinion of her executed husband, and whether she ultimately felt him a thief and murderer, or a gentleman and law enforcement officer. She never spoke of her first husband or her life with him after his death (Towle 31). Towle herself, however, takes advantage of Henry's "proven" evil nature and suggests that regardless of Electa's feelings, Henry Plummer's "murderous manipulations" played out in his home life:

Some chroniclers contend that Electa knew some of Henry's criminal past, believed that he really wished to be a "good man," and that in a heroic, noble mood, she felt his deep need of her—and so married him. Echoes of many quarrels had floated over the threshold of the Plummer cabin and become subjects of Bannack gossip. These verbal fights had started a short month after their marriage. 'Twas said that Henry was "a street angel and a home devil," being very irritable and short-tempered at home but very affable to the townspeople. (30)

Though Towle claims Plummer was vicious to his wife, Frank Bird Linderman, in *Henry Plummer: a Novel*, described their marriage quite differently, indeed. Linderman records that Plummer was never happier than when in his wife's company¹⁵:

Henry Plummer himself was truly happy. Every minute of time he could spare he spent in the house with Elizabeth [Electa], and he had told her of his great happiness every day since they had left the Bailey [Vail] home on the Sun River. He did not wish ever to be away from her, but there were many things to demand his attention. (148)

Despite Linderman's claims, Towle suggests the Plummers quarreled fiercely. The cause of the quarrels, though unknown, would perhaps have elucidated Plummer's guilt or innocence. Towle suggests Electa's discovery of her husband's evil deeds instigated the quarrels:

¹⁵ Though Linderman renamed Electa and the Vails, he still asserts his narrative is well-researched through his conversations with ex-vigilantes.

The quarrels could have been caused by Henry breaking his promise “to lead a new life” and Electa upbraiding him for his return to evil companions and evil ways. Or she may not have known about Henry’s past life, and merely suspected that he was mixed up in scandalous doings. She might have accused him of these dark misdeeds, which could have led to their quarreling and to Electa’s demand that he change his ways or she would leave him.

Regardless of what made Electa decide to leave Henry’s encircling, affectionate arms, it was a swift and final decision. She had been expecting the arrival of her sister and brother-in-law, Mr. And Mrs. J. A. Vail, from Sun River. They were to make their home in Bannack and Electa knew it would be just a few days before they’d arrive. She was very fond of her sister, Virginia¹⁶, and her decision must have been a desperate one to cause her to miss greeting the Vails. (31)

While some claimed Electa left Plummer because of his malevolence, others suggest he urged her to go, citing the rumor that Henry had given her \$10,000 in gold dust as she left. Henry himself claimed Electa, though knowing her sister and brother-in-law would be in Bannack shortly, departed for home to see her family because she was unbearably lonely (Towle 32). Regardless of the reason for her trip, Electa herself never alluded to Plummer’s innocence or guilt. She was absent when her husband was captured and hanged. And it is that trip that perhaps catalyzed the hanging.

Justice Edgerton and Nephew Sanders:

Plummer accompanied his wife as far south as Salt Lake City and quickly returned to his obligations north. He promised he would follow as soon as he was able.¹⁷ During his trip with Electa, their stage met with the Edgerton and Sanders families, who were just crossing into Montana (Mather and Boswell 50). Virginia Towle records, “The northbound travelers were headed by Sidney Edgerton of Ohio, recently appointed Chief

¹⁶ Though Towle names the sister Virginia, Mather and Boswell record Mrs. Vail’s name as Martha.

Justice of the Idaho Territory by President Lincoln; Wilbur Fisk Sanders, who was to prosecute Plummer and his road agents” (32). Justice Edgerton (future provider of the small canon that would kill José Pizantia) and his nephew were two of the founding members of the Montana Vigilantes. Towle records the party’s opinion of Plummer’s wife as “quiet, composed, and attractive” (32); it stands to reason Edgerton and Sanders received a first-impression of her husband, as well. Perhaps this party’s first meeting with Sheriff Plummer dictated more than Electa or her husband could then know.

Friend of Edgerton, Plummer’s Accuser:

Edgerton and Sander’s meeting with Plummer was crucial because it was also a meeting between accuser and accused. A man in Edgerton’s party, Henry Tilden, was the key witness in the Vigilantes’ “trial” of Plummer. The committee decided the sheriff was guilty because Tilden reported he was robbed by Plummer and two other men.

Researcher Louis Schmittroth, in his book *Henry Plummer in Montana 1862-64*, records that Tilden “said he identified one of them as Henry Plummer by the color of the lining of the overcoat the man wore [red]” (18).

The details of the attempted robbery itself are sketchy, at best. Yet, these same details solidified Plummer’s “guilt” and justified his hanging. The night of the attempted robbery, Sanders followed Plummer eastward in hopes of discovering a silver strike Plummer was rumored to have found. Plummer had said he was going to Rattlesnake Ranch to “look after” the horses of a man too sick to care for them himself. Because

¹⁷ Plummer supposedly meant to follow his wife: he sold their home to his in-laws the Vails. He remained longer than expected, however, supposedly to assist Martha and her two small children as her husband was

Plummer was not at Rattlesnake Ranch (a common stop-over point) when Sanders arrived, he assumed he had never arrived there. Yet, Plummer was seen riding into Bannack again the next morning from the east, the direction of the ranch. The robbery itself took place between Horse Prairie and Bannack, a location southwest of the latter town.

In order to have robbed Tilden at this location, Plummer would have had to ride eastward until Sanders lost sight of him, have circled back to the site of the attempted robbery, then circled back again to ride into town from the east. Given distances, terrain and the timeframe, such a circuitous journey would have been nearly impossible. Likewise, Plummer was rumored to be intelligent; he would probably not have robbed someone he recognized—if Tilden knew Plummer, Plummer doubtless knew Tilden. Also, Schmittroth has done extensive research on the recorded moon-phase on November 14, 1863. When Tilden was robbed, the moon was a sliver—very little light to make out the red color of an overcoat lining in the dark. In addition, Plummer could easily have been among many men to have a red-lined overcoat.

However scant the details and proof, Tilden's conviction of Plummer's guilt led to the sheriff's death. Schmittroth records, "There are no fingerprints, no hidden clues, no trial records, because there was no trial. Henry Tilden was never called on to testify in open court, only to a closed meeting of the vigilantes who gathered on January 10, 1864, to execute Henry Plummer" (19). As Tilden's story led to the justification of Plummer's death, other stories have led to the glorification of the Montana Vigilantes.

The Danger in Myths of Violence:

temporarily away (Mather and Boswell 50).

As with any study of the past, the history of the Vigilantes is vague. Each report of the 1863-1864 lawlessness is different, some lending justification to the acts of the alleged road agents, some to the Vigilantes. What is known, however, is that somehow the Vigilantes came into power. And, just as their counterpart “roughs” had intimidated the community into silence, so the Vigilance committee convinced rivals to back down. The question remains and will forever remain unanswered whether each of “The Innocents” and the eight hanged after them were indeed innocent; the subjectivity of history solidifies the perpetuation of that argument. That is, regardless of how staunch their claims, none of the pro-vigilante narrators is indeed “impartial;” each writer’s promised “objectivity” has obscured history and shaped public perception of that history with assurance of the Vigilantes’ victims’ guilt. However, regardless of the potential innocence of those hanged men, “One hundred five years after the Bannack lynchings, the national commission appointed to study violence in America would conclude that ‘the execution of Sheriff Henry Plummer in Montana’ was ‘a miscarriage of justice’ since ‘Montana was sufficiently settled . . . for men to have recourse to law’ (Mather and Boswell 55).

Richard Slotkin suggests reasoning for such violently miscarried “justice.” In his study of the myths of the American Frontier, *Gunfighter Nation*, he explains the need for proper civilization often took precedence over the need for due process of law. In newly-settled territories, the violations of judicial and legislative practices often paralleled the violence aimed at the “equality” members of society. Because civilization was the first priority, unchecked violence became a justifiable means to an end:

Thus to save civilization for “decent folks,” it becomes necessary to set aside the forms of law and both the ideological framework and the traditional practices of democratic government. Those who perform the work of rescue are licensed not only to act outside the norms of civil law and the Law of War (which forbids indiscriminate killing of civilians), but to deploy violence on a scale never hitherto permitted in any other contexts but those of “savage war” and “servile insurrection.” (100)

The next chapter in this study will explore the repercussions of such justified violence in a newly-colonized territory—repercussions that reverberate even today.

CHAPTER TWO

The Myth and the Noose: Ideologies Behind Vigilantism

The Notion of the Noose:

As stated in Chapter One, there is more to the story of the Montana Vigilantes than just history. Literature stemming from that bit of “history” has not only dictated society’s consciousness regionally, but has impacted perception of the “Western Frontier” nationally. Literature and the historical perpetuation of the Frontier Myth are indispensable to the foundation of the West and to our notions of justice in the early twenty-first century. Yet vigilantism, a key element of that myth, has been largely neglected by literary scholars—with the important exceptions of Richard Slotkin, R. E. Mather and F. E. Boswell.¹⁸ Though the 1864 hangings in Alder Gulch and Virginia City are categorized as a single episode of Western History, researched examination of that episode is pertinent to literary studies because of its cultural and historical ramifications.

Because vigilante history has augmented the Frontier myth, it is a necessary aspect of any dialogue concerning Western historical consciousness. It is vital to note that vigilantism itself, not just the Vigilantes of Montana, was and is still a celebrated colonial tactic. Many still see vigilantism as a necessary form of “dealing” with “roughs” and thereby establishing “civilization.”

¹⁸ Johnston’s and Fritz’s articles, discussed in this chapter, are wonderful articulations of the work that has been done with vigilantism outside the literary realm.

Several explanations have arisen to explain historical vigilantism in both European and American contexts. One text, written by UK criminologist Les Johnston, attempts to define the term by its six most common elements: premeditation, voluntary participation, resemblance to a social movement, force, reaction to a threat of transgression against social norms, and the assurance of security. Johnston's text examines both the simplicities and complexities of vigilante activity. Another article, written by historical analyst Christian G. Fritz, claims vigilantism came about only in territories and areas about to establish democratic constitutions, and thereby was evidence of the settlers' wish to retain popular sovereignty. By utilizing their right to hang certain elements of the population, vigilantes were exercising their popular right to "reform, alter, or abolish their government at any time" (Fritz 1). Both of these ideas will be examined and explained in further depth in the successive sections of this chapter.

Slotkin, however, feels vigilantism cannot be adequately measured by criminology, nor is vigilante violence justified as an expression of popular sovereignty. His book *Gunfighter Nation: The Myth of the Frontier in Twentieth-Century America* is the articulation of twenty years of research on the social and cultural construction of Western America and the myths incorporated in that construction. Though his text touches on a variety of the crucial elements comprising the Frontier myth, a particularly compelling part of Slotkin's text describes the aspect of vigilantism. It asserts that vigilantism cannot be easily classified as a need to repress criminal elements or even as the drive to express the rights of settlers. Vigilantism, and indeed most frontier violence,

stems from the philosophy buttressing colonial ideology and practice: namely, supposed Anglo-Saxon superiority¹⁹.

This ideology of racial superiority helped to generate and to perpetuate the violence inherent in hanging spree in Montana, Idaho Territory 1864. Though Slotkin cites mainly twentieth-century continuations of the mythical frontier violence, he explains that violence had its roots in the colonial frontier. He suggests American conflict itself was born out of the colonial struggle to tame the wilderness:

Conflict was also a central and peculiar feature of the process [of American development]. To establish a colony or settlement, the Europeans had to struggle against an unfamiliar natural environment and against the non-European, non-White natives for whom the wilderness was home. Violence is central to both the historical development of the Frontier and its mythic representation. [...] As a result, the “savage war” became a characteristic episode of each phase of westward expansion. (11)

As a characteristic episode in the history of Western expansion, “savage war” is visible in many forms. One such form is vigilantism.

The residual violence of colonization spread west, bringing violence and “civilization” to the Frontier. As that violence moved west, the stories of that violence swept eastward. The Montana Vigilantes’ escapades were fuel for such violent narratives. As the stories of the West fed the fascinations of those in the East in the nineteenth century, likewise the stories of the past uphold the perceptions of the present; these colonial narratives have shaped modern ideology.

¹⁹ Slotkin explains that, “the original ideological task of the [Frontier] Myth was to explain and justify the establishment of the American colonies” (10). Therefore, the violence in that myth was inherently and uniformly justified as a colonial tactic. As mentioned in Chapter One, much of the violence on the Frontier exemplified the mythic theme of “quality” upholding civilization for the “equality.” This theme is evident in most historically-colonial contexts, not just in the discourse of vigilantism.

Necessary Elements of Vigilantism:

UK criminologist Les Johnston, frustrated with current conceptualizations of vigilantism, embarked on a research project to describe the subject. The end result was: “What is Vigilantism,” an article published in the Spring 1996 issue of the *British Journal of Criminology*. Johnston’s article explores current episodes of violence in the UK, explaining that some are not true cases of vigilantism, while others are perfect examples of his definition. His explanation elaborates on the six features that must be—according to the logic of his analysis—combined in order to create a true system of vigilantism. Though these six elements were explored mainly in relation to recent vigilante activity in the United Kingdom, Johnston’s definition readily applies to Western America’s episodes of vigilantism as well—especially the Vigilantes of Montana and those vigilance committees they imitated.

Johnston’s article admits there is truth in the popular conception of vigilantism. Yet, his definition meticulously elaborates on the common “hallmarks” of vigilante activity, such as “the pursuit of criminal deviants, the righting of a criminal wrong by violent and informal means, the leaving of a warning—in this case literal—for others who might possess similar criminal dispositions” (1). However, none of these conditions can be relied upon to truly consolidate the broad term of “vigilantism” into a conceptual definition. Vigilantism is not merely an angry group of people reacting violently to an untamed and lawless element. Johnston explains there is much more to vigilantism than violence. In fact, his definition does not even assume vigilantism involves the “imposition of punishment on victims” (1). His description of the nature of vigilante

violence analyzes several examples of vigilante activity in which he seeks to identify their most common factors. As I will argue, each of these factors has special applications to the Montana Vigilantes evaluated in my discussion in this chapter.

The first of Johnston's "necessary features" of vigilantism asserts that vigilante activity "involves planning and premeditation by those engaging in it" (1). True vigilantism cannot spontaneously exist—it has to be created by those prone to it. This is true in the case of Montana's vigilance committee. Though the Vigilantes had wanted to overpower the miners' court for a while, the trial of George Ives gave them the leverage in the community necessary to organize. Captain James Williams (who will be discussed in more detail later in this chapter) agrees that some men had wanted to establish a committee before the Ives' trial, and that the death of Tbolt was the catalyst necessary to organize. His first-hand reminiscence records the "premeditated" planning of the vigilance group:

X. Biedler [sic] was there. They brought the body [of Tbolt] right up into the streets. Biedler wanted me to go out and look at him. This old man Clark was the man who wanted to establish a Vigilance Committee. I was running a corral and had a ranch on Williams Creek. He came to me and said "This thing has been running on long enough and has got to be stopped." I told him I had fifty or sixty head of horses and about twenty-five saddles and bridles and that if they were of any use they could have them. After that trip I went to Deer Lodge. [...] They went down and captured Long John, Frank or Franck, and George Ives. [...] They did not try Long John, but used him as a witness, and there [sic] were sentenced to be banished. The trial took two days; they got through the second day I think. That was the first start of the Vigilance Committee. [...] They didn't organize until after I came back from Deer Lodge. After Ives was hung the citizens proposed to follow it up. There were a good many people there from Colorado²⁰ and they had an idea I had some leather in me I guess. We got information that these fellows lived below. I had command of the expedition. (Williams 2)

²⁰ See the conclusion of Chapter One. Note those from Colorado, and not those from the "other side" of the mountains were the instigators of the vigilance committee.

Williams himself suggests there were plans to organize a committee before the Ives trial started. The reminiscence of one eyewitness (since Williams claims he was out of town when the trial took place) agrees with Williams that the Vigilantes were the group to initiate the trial. This witness, Aaron T. Ford, writes, “In the morning the Vigilance Commite assembled in the street of Nevda to give them a trail [sic]. [...] Long John was acquitted as he turned States evidence [sic]. [...] as soon as the trail was over W. F. Sanders made a motion that we hang George Ives forthwith ” (Ford 12). Regardless of which witness’s account we refer to, it is clear the vigilance committee was organized after much preparation. This planning parallels Johnston’s first feature of his definition.

Other accounts suggest that though the vigilance committee had been imagined and designed before the trial, the actual organization came later. It wasn’t until after the Ives’ trial and execution that the men who meant to organize the vigilance committee met and swore to their oath of secrecy. In his papers, John Standish records an article about the formation of the committee written by Lew Callaway, who “grew up among those who were Vigilantes, and knew many of them very well.”²¹ Callaway’s research, done among those who were past Vigilantes, records:

Plummer and his deputies were suspected of being in league with the road agents but none of the road agents knew he was their commander-in-chief. As no man’s life was safe, all, who were not in league or in sympathy with the outlaws, were

²¹ In the same record, Callaway claims, “I grew up among those who were Vigilantes, and knew many of them very well. Captain James Williams, the executive officer, was my father’s partner in the cattle business. I lived with his family for months at a time. Colonel Wilbur F. Sanders and my father were frequently associated in litigation, and were great friends. The colonel was often a visitor at our house; a marvelous story teller, we sat absorbed in delight as he recounted, in his stately English, stories of the early days. In August, 1899, at the meeting of pioneers in Virginia City, I heard him tell the multitude assembled on Broadway, east of the courthouse, of the stirring days of Alder Gulch when he prosecuted George Ives, and of the formation and activities of the Vigilantes following that tremendous event. I knew well John S. Lott, treasurer of the Vigilance Committee, and Mortimer H. Lott, his brother, Adriel B. Davis, one of the most active of the Vigilantes, was an intimate friend of mine. And I knew X. Beidler, Charles Beehrer, and many others of that avenging company.” (John K. Standish papers 9) Though this statement does not give rise to question of authority in regard to his record, Callaway’s relationship with these men muddles his “objective” historical record.

discussing seriously some means of relief. Outstanding characters, Sanders, Pfouts, the Lotts, and others, had said more or less openly that the times called for a Vigilance committee. There was immediate historical background for an organization of that character. Paris S. Pfouts had been in San Francisco when the Vigilantes under William T. Colman were engaged in their salutary work. Pfouts had great admiration for that extraordinary man, Colman. Pfouts, Williams, the Lotts, Davis and others, had but recently come from Denver, where a Vigilante committee, following the example of that of San Francisco, had been cleaning up the town. (John K. Standish papers 12)

Callaway continues with his account of the organization of the committee by citing Pfouts' record that *during* Ives' trial in Nevada City, five men held "a secret meeting in Virginia City" and decided to form a vigilance committee (13). Though this decision was made during the trial, Callaway then recounts founding vigilante Adriel B. Davis' record on the subject; a record which claims that the actual organization of the committee didn't take place until *after* the Ives trial. Callaway quotes Davis as saying:

"In about three days after the hanging of Ives the original Vigilante committee, that is, the first twelve, were sworn in as Vigilantes in Fox's blue house, which formerly stood where the Masonic temple is now on Wallace street in Virginia City * * * [sic] The meeting was called by Paris Pfouts and Sanders; when we got there it was suggested that we organize a Vigilante committee for self-protection" (14).

Callaway then resumes his own account, recording the names of the key members present. He then reverts back to Pfouts' account of the ensuing week. Callaway quotes Pfouts:

"We continued our meetings and in the course of three or four days the number was increased to about fifty, and all among the best and most reliable citizens of Virginia City, and in the mining camps surrounding it, when they resolved upon selecting a president, or 'chief.' Other engagements prevented me from being present when this selection was held, and I was astonished to learn I had been selected as the head of the committee, with full power to organize and control the whole." (14-15)

At these planned and carefully-conducted meetings, the Vigilantes of Montana were sworn in and held to an oath by a man from California who explained the specifics of the

California Committee's organization (15). With the above records of premeditated planning and deft organization, the Vigilantes of Montana easily fulfill Johnston's first feature of true vigilantism.

Johnston's second feature is an extension of the first. He asserts the participants of vigilantism "are private citizens whose engagement is voluntary" (1). In other words, no one can be forced to enter into a committee's ranks, or the committee ceases to be made up of vigilantes. In applying this requirement to our particular study, the above records suggest that the original members of the committee were volunteers and private citizens. The law officers, all "public" citizens, were not invited to join their ranks considering the fact that they were suspected to be part of the problem of lawlessness in the community. Lew L. Callaway suggests "a party of *volunteers* under the leadership of James Williams arrested Ives and two others. [...] At the [Ives] hanging it was Williams, who said, 'Men, do your duty,' a favorite phrase of his, which was to be heard many times in the ensuing months" (Standish papers 13). This record suggests those involved with the committee's activities during the trial were volunteers (though Callaway's information is contrary to Williams' above account, in which Williams claims he was in Deer Lodge during the trial).²²

Voluntary involvement was extremely important to the original organization of the Vigilantes of Montana. However, as explained in Chapter One, with regard to Dimsdale and his successor at the *Post*, not all men who were later enlisted as Vigilantes were enrolled voluntarily. After the original hanging spree, some were classified in their

²² This discrepancy is just one example of why it is dangerous to claim that any one historical narrative is correct. Those who rely solely on Dimsdale and/or Callaway's texts run the risk of assuming all information is precise. Without a rigorous study of historical narratives, a reader of any historical text could be influenced by possibly false information.

ranks without consent. Whether these men appreciated being involved with the committee or not is unknown. However, the fact remains that several men were enlisted as Vigilantes without ever soliciting membership or attending the committee's meetings.

Johnston's third element of vigilantism explains that "it is a form of 'autonomous citizenship' and, as such, constitutes a social movement" (1). This feature is similar to the previous two in that Johnston defines "Autonomous citizenship" as a voluntary act by those proceeding "without the state's authority or support. Vigilantism does not include similar acts undertaken by companies on behalf of citizens for commercial profit. Nor does it include similar acts undertaken by 'responsible' citizens who have the backing of the state's authority" (6). In this way, the committee of Alder Gulch and Bannack coincides with Johnston's definition. Neither the vigilantes or their proponents had the support of the territorial government (though the future territorial governor, Justice Edgerton, was in league with them) or of the miners' court law officers (whom the committee hanged).²³

Johnston's fourth element also applies to the Montana Vigilantes, though they exercised this element to excess. That element is that vigilantism "uses or threatens the use of force" (1). This factor of force suggests that "either the use of force or its mere threat are sufficient to designate an action vigilantist when other necessary conditions are

²³ Indeed, when explaining why Dimsdale's account did not include the names of the original vigilantes, Lew Callaway explains, "The fact is, their names were concealed by request of the actors themselves. Among the reasons given are these: When the organization was first formed and was engaged in exterminating Plummer and his murdering crew—say during the two months following the Ives trial—everybody, except the road agents and their sympathizers, was applauding. The criticism began. The Vigilantes were considered to be more or less outlaws, by many good people. The Vigilantes did not like their work, many were sensitive to criticism, and nearly all desired that their fame as Vigilantes might fade into obscurity. As a matter of fact their deeds were unlawful—unless one is willing to transcend the law of the land and to say he stands on the fundamental law of self and community protection" (John K. Standish papers 16).

satisfied” (7). The Vigilantes certainly did threaten the use of force. The original vigilante oath, in the section entitled “Regulations and By-Laws” states, that

when [the Company] shall proceed to investigate the case, and ellicit [sic] the facts and should the said company conclude that the person charged with any offence [sic], should be punished by the committee, the Captain or Lieutenant will first take steps to arrest the criminal and then report the same with proof to the Chief, who will thereupon call a meeting of the Executive committee and the judgement [sic] of said Executive committee shall be final.
The only punishment that shall be inflicted by this committee is DEATH.
(emphasis in original 2)

Obviously, the committee threatened and used force (see skull and crossbones illustration on page 103). Though they did banish those unwelcome to their territory, the vigilance committee is celebrated for punishing many supposed accusers with a noose²⁴.

Johnston’s fifth section of his definition claims vigilantes “arise when an established order is under threat from the transgression, the potential transgression, or the imputed transgression of institutionalized norms” (1). Here, when explaining the case of the Montana Vigilantes, objectivity cannot be claimed; though educated suggestions can be made, no one can tell what “established orders” the Vigilantes felt were threatened, nor what “institutionalized norms” were supposedly threatening them with potential transgressions. As explored later in the analysis of Slotkin’s remarks on vigilantism, these “established orders”—that Johnston suggests are under threat “from the transgression of institutionalized norms”—could refer to something completely different from the miners’ laws. These “norms” could be certain elements of “civilization” that some men felt were jeopardized by the type of men in power. Plummer was, after all, the upholder of the “institutionalized norms” of the region—an upholder who was both a gambler by trade

²⁴ Lew L. Callaway asserts in a letter to a historian writing a history of Montana, “You will find that 22 men were hanged by the Vigilantes within six weeks after their formation and 10 men thereafter. A large number of men were banished from the Territory; nobody knows how many [sic]” (Callaway 3).

and extremely popular among the miners. Such a man could cause problems if his perception of “civilization” varied from the Vigilante’s opinions. Regardless, the vigilance committee of 1864 Montana, Idaho Territory, was reacting to a perceived threat and therefore fulfills Johnston’s requirements for vigilantes. But whether that threat was the potential danger of Plummer’s influence on civilization, or simply an undesired consequence of a popular election, no researcher can know, though their research may cause them to postulate answers to the question that break one way or the other.

Johnston’s sixth and last necessary feature of vigilantism claims, “it aims to control crime or other social infractions by offering assurances (or ‘guarantees’) of security both to participants and to others” (1). Under this heading, Johnston himself includes the Western nineteenth-century vigilance activities. He explains that vigilantism to control crime—“classic vigilantism”—and that to control social infractions—“neo-vigilantism”—were both prevalent in early Western America. Because both existed in different phases of colonization, the two forms are somewhat hard to distinguish between in Western history. Johnston explains the difference between “classic vigilantism” and “neo-vigilantism”: The first was directed “against horse thieves, outlaws and the rural lower classes before 1900” for the purpose of crime control. The second is “directed at urban Catholics, Jews, Negroes, and labour leaders from the late nineteenth century onwards” for the purpose of “‘social control’ or, more specifically, with the maintenance of communal, ethnic or sectarian order and values” (7). However, though these two can be separated in certain circumstances, Johnston asserts, “it is also crucial to note that there may be complex connections between crime control and social control vigilantism in any given context” (8). His example of this possible complex connection is particularly

interesting. Citing the San Francisco vigilantes of 1856, which Paris Pfouts was said to emulate when forming the Montana Vigilantes, Johnston explains how crime control and social control are indeed inseparable. He writes:

One interesting question concerns the relationship between crime control and social control practices and the ideologies which underpin them. Take the case of the San Francisco Vigilance Committee of 1856. [...] In reality, the 1856 Committee was concerned not with crime but with wresting control of government from the dominant group of Irish Democrats. The San Francisco example is, thus, one in which a struggle for political power masquerades as a vigilante movement, vigilantism arising not from crime but from an orchestrated moral panic about crime. (8)

In other words, though the San Francisco committee claimed to be protecting the city from crime, they were in reality protecting the government, or “civilization,” from a designated “lower class.” It is possible the committee from Montana followed suit in its motivation as well as its organization.

Johnston continues with the San Francisco example, explaining that rhetoric was the key to re-narrativizing a social issue into a criminal one. If writers or rhetoricians could convince the public that social groups were the basis of crime, vigilance committees would have no opposition. Indeed, such writings could preserve the committees’ greatness forever in print. Johnston explains, “In some situations—the San Francisco example is just such a case—groups may deploy a ‘rhetoric of transgression’ in order to advance alternative social ends” (9). He suggests that many of the cases of ‘neo-vigilantism’ that targeted religious and racial minorities in twentieth-century America also employed this rhetorical tool. Such rhetoric did not merely promote the vigilance committees—it devalued the committee’s opposition and discredited its victims in every way. In Montana’s case, such rhetoric can be read under the covers of Dimsdale’s, Callaway’s and Nataniel P. Langford’s historical narratives. With such convincing

rumors that Plummer was an evil murderer, most readers would not question Callaway's descriptions of *Montana's Righteous Hangmen*. Nor would history texts research accounts of 1864 mining towns outside of such well-read publications. Indeed, such rhetoric was so powerful that even family members of the deceased could be convinced of their brother's guilt. Mather and Boswell record one such instance:

Though [Dimsdale] did not live to enjoy it, his volume had a historical influence perhaps even beyond his hopes. Three years after his death, former vigilante officers were still putting the work to its intended purpose. In the summer of 1869, Langford visited Henry Plummer's older brother and sister—Wilmot, a sea captain, and Rebecca, a sea captain's wife—and presented them with a copy of Dimsdale's book, advising them of the "utter fruitlessness" of traveling to Montana. After reading the book, Captain Plummer informed Langford, in "a voice broken by sobs," that Rebecca was "prostrated with grief," and that the pair had given up their plan to travel West and "find and punish the murderers" of their younger brother. Other delegates paid an equally successful visit to Electa Bryan Plummer, the sheriff's widow. (176-77)

If Dimsdale's narrative could convince a revengeful brother and sister of their brother's supposed guilt, it is astonishing to imagine what influence that same narrative has over current depictions of Montana history.

Johnston's article, though focused mainly on the vigilante activity in the UK, has clear descriptions of vigilantism. If his criminological analysis is correct, there is more to vigilantism than the threat of violence or uncomplicated crime control. And, as the vigilance committee in our study fulfills all of Johnston's basic qualifications for vigilantism, we can assume it also fulfills more difficult ones. Vigilantes react to social conditions as much as to criminal conditions, and often do so to one in guise or the other.

Exercising Popular Sovereignty:

Christian G. Fritz's analysis of vigilantism in "Popular Sovereignty, Vigilantism, and the Constitutional Right of Revolution" takes a much different turn than Les Johnston's. Fritz suggests that vigilantism and constitutional conventions go hand-in-hand because both committees share "a desire to reform government" (58). He asserts that "For vigilantes, the goal was less to change the structure of government than to put better people into government. Delegates, [...] on the other hand, focused primarily on changing the structure of government. Both groups, however, invoked the same fundamental right to justify their actions: popular sovereignty" (58). Fritz defines popular sovereignty as a right "which was based on the notion that 'the people' are the ultimate and only legitimate basis for government and that 'the people' possess the right to reform, alter, or abolish their government at any time" (39). He explains that in the nineteenth-century, lawyers and leaders of the community recognized their right to reform government, and therefore acted upon that right. He explains:

Lawyers would be more apt to draw on legal or constitutional arguments, if they felt such existed, to justify vigilantism. And lawyers formed a natural occupational link between vigilantism, which a good number of them supported, and the work of nineteenth-century constitutional conventions in which lawyers almost always played a significant if not dominant role. (39)

Though the Montana vigilance committee was not comprised exclusively of lawyers, it was started by men in traditionally upper-class occupations: Justice Edgerton, his political secretary and nephew Sanders, and Paris Pfouts, a respectable well-dressed merchant. Educated men who supported vigilante action, Fritz explains, could "justify vigilantism" by invoking the right of popular sovereignty.

In the constitutional conventions of the 1800s, popular sovereignty was usually a matter of debate because Americans had "justified the use of mobs and popular uprisings

as a legitimate means of resisting the British” during the Revolutionary War (41).

Therefore, many citizens assumed mobs and popular uprisings were an appropriate way of reacting to any inadequate government institution. Fritz asserts the claim that this common argument about popular sovereignty gave some justification to the vigilance activity of the time (42). Vigilance committees could question current established governments because popular sovereignty gave them that right. Therefore, they could justify taking public “matters into their own hands.” Fritz suggests this justification was facilitated by the fact that “nineteenth-century citizens, more than those of the twentieth, asserted a closer relationship between the people and their government, including a greater expectation of political accountability and responsiveness” (44). In other words, because of the late-eighteenth-century events that established the United States, people living in the 1800s understood that they had a right to expect a responsive government. Fritz suggests this is why vigilantism was so prevalent in nineteenth-century America. He asserts this expectation for political accountability provided a positive and constructive aspect to nineteenth-century vigilantism because vigilance committees “sought to buttress weak institutions and establish law and order” (44).

Yet, Fritz makes no distinction between one instance of vigilance and another. He does refer to several examples that illustrate vigilance activities and state constitutional conventions were often happening concurrently. Montana Territory did draft itself into the Union short months after the Vigilantes had organized, so Fritz could be right that the Montana Vigilantes attempted to justify their actions by popular sovereignty. However, as will be explained later in this chapter, the regions of Alder Gulch and Bannack had established their own regional governments. Since there were established governments

and elected law officers placed in power by the people, the people already were “the ultimate and only legitimate basis for government” in the territory (Fritz 39). It is difficult to justify Montana’s vigilante violence with popular sovereignty when that right was already being fully exercised. Popular sovereignty can be carried out without violence or government by intimidation; if organizers of the vigilance committee disapproved of the miners’ law officers, they could easily have held another election and elected one of their own.

Fritz also suggests vigilantism was, in part, a reaction to the lack of Territorial government on the Frontier. He aligns vigilante activity with calls for state conventions: to this end he cites one military governor’s comments that since “congress has failed to organize a new Territorial government, it becomes our imperative duty to take some active measure to provide for the existing wants of the country” (46). Therefore, Fritz suggests, any lack of organized territorial government justified “active measures,” both in the form of constitutional conventions and vigilante violence.

According to Fritz’s argument, the Vigilantes first organized in Dec. 1863 in part because Idaho Territory had no territorial government at that point. Since Lincoln was occupied with the strenuous efforts of civil war, the Bannack district of Idaho Territory composed their own miners’ laws. Such laws were tangible evidence that the people were in charge of their own government. If the Vigilantes felt the people no longer possessed “the right to reform, alter, or abolish their government at any time,” they certainly were justified in killing the miners’ court law officers (Fritz 39). Yet, there were only three officers, and they certainly didn’t dictate the entirety of Bannack’s district government. They were under the jurisdiction of the president of the miners’ court and the miners

themselves. In addition, the Vigilantes of Montana refused to be removed from their position of power even after the Territorial government had been established and federal officers had been sent to protect the governmental leaders. If the vigilance committee was truly just waiting to receive Territorial status and establishment, it would most likely have disbanded as soon as that status was granted.

Fritz suggests that in the case of the San Francisco committee, the established government was not fulfilling the citizenry's needs. Therefore, even those opposed to revolution supported and participated in "extralegal activities when they felt there were weaknesses in the criminal justice system" (50). If there were "weaknesses in the criminal justice system" in the Bannack mining district, and the government was not fulfilling the citizenry's needs, violence should still have been a last resort. The Vigilantes of Montana overwhelmed the public officials to the extent that they could, with impunity, hang them, so why couldn't they have overpowered the miners' court, burned the original town charters and started over with the government? They could easily have revamped the original established laws. Yet, they didn't. They left the laws alone and placed their own men into the now-vacant slots. The miners' law officers could as easily have been impeached by the Vigilantes as hanged, but hanged they were.

Though Fritz suggests that popular sovereignty was justification for vigilantism on the Frontier, there was more to the Montana Vigilantes than these political terms. If they had simply wanted a federally-established government, they would have dissolved as soon as that government was in power. Yet, they did not. If the Vigilantes were disgusted with existing drafts of laws, they would have burned them and started over. Yet, they did not. The committee's dissatisfaction with current law officers could have

been solved by another election, yet they opted for an execution. If any man other than Plummer had been in power, the committee would perhaps have decided on an election—if they were truly interested in establishing a fair and impartial government, they would have. However, they did not. Likewise, most of the men who were hanged were not in positions of power. Most were members of the laboring underclass. Therefore, there was more concentration in Vigilante activity and attention on certain elements of the citizenry than there was on others. The vigilance committee we have been studying was not constituted to destroy and overthrow government via the right to popular sovereignty as Fritz suggests. Rather, it was organized to eradicate one regionally-specific element of society. That extermination ensued with the organization of the Vigilantes, an oath, some forced confessions and a rope. With the Montana Vigilantes' end goal of violent social reorganization in mind, then, let us examine the myths inextricably linked to historical violence in the American Frontier.

Ideology behind Vigilantism or Frontier Mythology:

Slotkin's research on frontier mythology is essential to any study of the West. Without an understanding of the ideology and practice of violence characteristic of historical western settlement, any perspective on the "frontier" would be incomplete and insufficient. Slotkin's text repeatedly addresses vigilantism, as this historical term is still one of the main justifications of frontier violence. He begins his explanation of vigilante justice with a simple definition, then moves on to a more complex assessment of the ideology behind lynching:

Vigilantism has been used to describe a number of local movements occurring at various times that have in common the use of extralegal force by an organization of citizens to suppress “criminal” threats to the civil peace or prosperity of a community. Although some of these movements invoked British, Scottish, or Teutonic precedents, the vigilante phenomenon seems to be peculiar to “settler-states”: political communities established on the periphery of a colonizing “metropolis” in which the forms and powers of government are initially tenuous. (173)

Such a concise definition obviously applies to the Montana Vigilantes. The settlements of Alder Gulch and Grasshopper Creek were in the south-western half of Montana, “on the periphery of a colonizing ‘metropolis’” though both were connected by stage road to Salt Lake City. Neither could be solidly politically established at the time of the original organization of the vigilante movement, though attempts at organized law were established. This first portion of Slotkin’s argument also upholds both Johnston and Fritz’s definitions of vigilantism.

Slotkin’s First Two Types of Vigilantism:

There is more to Slotkin’s definition of vigilantism than the control of a criminal element in a tenuous settlement. He continues to describe two separate forms of early vigilantism, forms which Fritz’s definition fails to distinguish:

The simplest and earliest type of frontier vigilantism involved the application of “lynch law” (mainly banishment²⁵ and corporal punishment) against criminals and “undesirables.” More complex (and violent) were the various forms of “regulator” movements, in which vigilante actions against individuals were part of a larger pattern of resistance to government authority [...]. The latter type of vigilantism was, in effect, as rudimentary exercise of the “right to revolution” asserted in the Declaration of Independence. (173)

²⁵ See footnote 24 for the relevance of the “lynch law” to this discussion.

In other words, in the early days of Western colonization, there were at least two distinct types of vigilantism. Yet most definitions, especially Fritz's, categorize the term as having only one meaning. One type invoked lynching to rid a particular area of an undesirable element, or perceived lower class. The other was a way to revolt against the status quo.

Slotkin explains that the "lynch law" definition was a particular form of hanging not initiated by a patriotic rebellion for rights. Hanging, Slotkin explains, was not a privilege granted to just anyone. He explains that those who were "authorized" to perform hangings were outside the law because they were protecting civilized society. "The western lyncher-hero represents a superior class of American Anglo-Saxon who is privileged to use violence with a freedom hitherto granted only to the Indian fighter, because the very existence of civil society is imperiled by the threat of a numerous 'dangerous class'" (184). The vigilance committee of Montana, Idaho Territory in 1864 would, in Slotkin's terms, fit the "lynch law" definition and not the latter group utilizing their constitutional rights to rebel. This committee justified its deeds exactly as Slotkin describes: as the necessary removal of a group of "roughs" that made the territory unsafe for "civilized" people.

If this was the case, the protection of civilized people—not the rights of all people—was in question for the vigilantes of Chapter One. The lynching spree initiated by the Montana Vigilantes, then, is not parallel with Fritz's earlier explanation of vigilantism for popular sovereignty. It is true that when the vigilance organization arose in Montana, the territory had not yet formed a federally-recognized constitution. However, as Schmittroth explains in *Henry Plummer in Montana, 1862-64*, the territory

did have a form of government, crude though it was by federal standards. He writes that the settlers of Bannack “were mostly American citizens, used to self-government, and hence organized themselves” (23). Schmittroth further contextualizes the government of the Bannack Mining District in terms of that organization: the settlers had drafted and passed laws by a Committee in October 1862, which were then “adopted and ratified by the people” (23). Members of this drafting committee were not those who were hung. Indeed, most victims of the vigilantes came to the territory only months before their executions. The drafting committee would have been made up of the merchants and judges in the town at the time—“civilized” members of the community, many of whom perhaps were later members of the Vigilance Committee (only those “established” and “respectable” were allowed to join the committee). They would not have needed to express their “right to rebellion” or even their commitment to the principles of popular sovereignty through lynching, since they would already have expressed it through the town laws and regulations. Their motive, then, would have been to rid the territory of the “roughs” inherent in mining communities of the time. However, the reasons behind that elimination are not as discernible as Slotkin’s “lynch law” definition may suggest; there was more to the lynchings than simply preserving the safety of the settlers.

Protection or Prejudice? Slotkin’s Third Type of Vigilantism:

Since the first two forms of vigilantism are more simple than most historical situations, Slotkin’s continues explaining vigilantism, articulating his understanding of a third form that was not widely recognized until after the Vigilantes of Montana had killed

most of their victims. Slotkin suggests in no uncertain terms that any vigilante justice performed had more motivation than destroying the “dangerous” element of society for the physical safety of the settlers. According to Slotkin, Vigilante groups were organized to rid the territory of a perceived lower class (and, beforehand, to eliminate a very publicly-favored gambler sheriff):

But after 1865 vigilantism acquired broader significance as a means of justifying new forms of social violence directed against the “dangerous classes” of the post-Frontier, urban, and industrial order. As a result, the vigilante ideology itself was transformed from an assertion of a natural and democratic right-to-violence to an assertion of class and racial privilege. (Slotkin 173-74)

This third form of vigilantism is more an evolved version of the lynch law than of the popular sovereignty or right to revolution mentioned above. The definition of vigilantism as assertion of class privilege responds particularly to the ideology behind the vigilance committee of 1864 Montana.

The Montana committee was ahead of its time. The Vigilantes of Montana seem to align more readily with Slotkin’s explanation of post-1865 vigilantism than with the “lynch law” definition, though they justified themselves as “lyncher-heroes” saving society from a bad element. Despite this claim that their victims were dangerous physically, the men killed by the Vigilantes were coincidentally a group the committee saw as dangerous to them socially.

This claim is especially interesting in light of the fact that of the original twenty-one victims, three-fourths had arrived in the territory without a criminal record. Indeed, as noted earlier in this study, those hanged in the original hanging spree were mainly democrats, while the vigilantes were overwhelmingly republican. Those hanged had worked primarily in the western mining towns of Washington and California, while their

executors had traveled largely from Colorado mining towns. The victims were working men, either on ranches or in town, while the vigilantes were usually Masons, “civilized” politicians or merchants (Mather and Boswell 161). Such men had the political clout and the rhetorical power to convince those in favor of Sheriff Plummer and other victims that they, too, would be run out of town if they spoke their true allegiances.²⁶ Most vigilante narratives record these threats, though some justify them as the kindness of the vigilantes’ ways—that they would rather have exiled, not killed, their enemies (see footnote 8).

Mythical Heroes—*The Virginian* and James Williams:

Slotkin supports his definition of this third type of vigilantism by highlighting instances of it in popular western literature. (Yet, as we have seen, supposed objective historical literature is just as convincing an example.) Slotkin particularly cites Owen Wister’s *The Virginian* as an example of “proper” lynching. The back cover of the Signet Classic edition of the novel claims, “He is the Virginian—the first fully realized cowboy hero in American literature, a near-mythic figure whose idealized image has profoundly influenced our national consciousness. This enduring popular work of fiction marks his first appearance in popular culture—the birth of a legend that lives with us still” (Wister

²⁶ John K. Standish, in his recollection of James Williams’ part in the vigilance committee, recalled: “But who could be trusted? Manifestly the Masons could rely on one another. [...] The Masons of Virginia City had held several meetings [...] There were others who could be trusted, but as the country was new, friendships were new. Only occasionally were old and trusted friends thrown together. Those who stood for the right and who would trust each other talked of forming a Vigilante committee. The movement, though in flux, was progressing. All that was needed to bring it to a head was an unusual event. It came with the arrest of George Ives, one of Plummer’s most trusted lieutenants. A party of volunteers under the leadership of James Williams arrested Ives and two others. [...] In his narrative, Paris F. Pfouts says that during the Ives’ trial, ‘five gentlemen held a secret meeting in Virginia City and determined upon the formation of a Vigilante Committee. [...] We agreed to hold another meeting the following night, and each one of us was to bring some other gentleman as were willing to unite with us in the cause, but the utmost

back cover). Using Slotkin's argument as a model for my own interpretation, I have found other examples of Wister's notion of "quality" in his text. My close reading illustrates that Wister's hero, though not of the upper class, is a "gentleman" in manner and ability, and therefore is entitled to enact his own mode of justice.

In the novel, Wister establishes his character the Virginian as a man licensed to take matters into his own hands. In his opening chapter, "Enter the Man," Wister describes his dashing hero in eloquent language, immediately highlighting the Virginian's physical superiority:

Then for the first time I noticed a man who sat on the high gate of the corral, looking on. For he now climbed down with the undulations of a tiger, smooth and easy, as if his muscles flowed beneath his skin. The others had all visibly whirled the rope, some of them even shoulder high. I did not see his arm lift or move. He appeared to hold the rope down low, by his leg. But like a sudden snake I saw the noose go out its length and fall true; and the thing was done. As the captured pony walked in with a sweet, church-door expression, our train moved slowly on to the station, and a passenger remarked, "That man knows his business." (1-2)

Interestingly, in this scene a "noose" in the hands of the "right man" calms a reckless pony, giving it "a sweet, church-door expression." It is the Virginian's "business" here and later in the text to tame unruly elements of society. Wister's description of his "quality" hero's physical skills is crucial to our present focus on justifiable violence. Note the rugged beauty and attractive capability that characterize the Virginian in this following passage:

Lounging there at ease against the wall was a slim young giant, more beautiful than pictures. His broad, soft hat was pushed back; a loose-knotted, dull-scarlet handkerchief sagged from his throat, and one casual thumb was hooked in the cartridge-belt that slanted across his hips. He had plainly come many miles from somewhere across the vast horizon, and the dust upon him showed. His boots were white with it. His overalls were gray with it. The weather-beaten bloom on his face shone through it duskily, as the ripe peaches look upon their trees in a dry

caution was to be observed in inviting none but those known to be trustworthy" (John K. Standish Record 12-13).

season. But no dinginess of travel or shabbiness of attire could tarnish the splendor that radiated from his youth and strength. (3)

Just after the narrator meets the Virginian, he notes the latter's conduct is more becoming of a gentleman than is his own. He observes that "the creature we call a *gentleman* lies deep in the hearts of thousands that are born without chance to master the outward graces of the type" (8). Because the Virginian is portrayed as noble and good, as well as handsome and expert at everything he does, he is a member of Wister's "quality."

As a gentleman, naturally, when the Virginian runs across injustice and danger, he rides the town of impending doom at the hand of a dangerous villain.²⁷ He even asks the "gentlemen" in the saloon to "oblige him" by not interfering in his business of killing the novel's villain Trampas (293). To this request, the proprietor exclaims, "We'll see that everybody lets this thing alone" (293). And the proprietor is true to his word: after the traditional gun-fight on the town's main street, when Trampas lay dead, no one questions the Virginian's judicial tactics.²⁸

Slotkin explains that, in Wister's view, only true gentleman have the right and authority to protect a town. As in his "lynch law" definition, Slotkin's third type of vigilantism dictates only certain members of society are "good" enough to take law into their own hands. Though the following excerpt was cited in Chapter One of this thesis, its message is powerful enough to mention again:

The political allegory around which Wister builds his narrative thus moves from the proof of his Darwinian thesis, that all men are created unequal, to the demonstration that "the quality" are naturally entitled to rule "the equality." He proves the latter point by showing that "civilization"—a higher value than any

²⁷ Throughout the course of the novel, the Virginian actually kills two men. Steve, though the Virginian's friend, breaks the law and therefore needs hanging. Trampas calls the Virginian out and is shot.

²⁸ Though somewhat comparable to the Montana Vigilantes' judicial methods, the Virginian's tactic is perhaps less problematic in that a shoot-out is less secretive and more just—his victim at least had time to get off a shot at his executioner.

particular form of politics—can be defended from the forces that menace it only by an armed and virile elite that is willing and able to take the law into its own hands and substitute itself for the will of the people. (182)

This social-Darwinian attitude is apparent throughout Wister's text.

One example of his attention to the distinction of social-nobility is Wister's description of the heroine's family, the Woods, as "gentlefolk": "From generation to generation the family had gone to school like gentlefolk, dressed like gentlefolk, used the speech and ways of gentlefolk, and as gentlefolk lived and died" (57). Therefore, the union of the Virginian and Molly Stark Wood is deemed appropriate in Wister's text because of their similarities as "gentlefolk" and thus, as "quality" people. Indeed, the only time the Virginian is mentioned as "equality" is in context of yet another compliment from the narrator: "It was at Billings [MT], on this day, that I made those reflections about equality. For the Virginian had been equal to the occasion; that is the only kind of equality which I recognize" (126).

According to Wister, the equality is only worth attention in relation to the quality. Even democracy, he claims, is another word for "true aristocracy." He phrases this belief well in his chapter entitled, "The Game and the Nation—Act First":

There can be no doubt of this:—

All America is divided into two classes, the quality and the equality. The latter will always recognize the former when mistaken for it. Both will be with us until our women bear nothing but kings.

It was through the Declaration of Independence that we Americans acknowledged the *eternal inequality* of man. For by it we abolished a cut-and-dried aristocracy. We had seen little men artificially held up in high places, and great men artificially held down in low places, and our own justice-loving hearts abhorred this violence to human nature. Therefore, we decreed that every man should thenceforth have equal liberty to find his own level. By this very decree we acknowledged and gave freedom to true aristocracy, saying, "Let the best man win, whoever he is." Let the best man win! That is America's word. That is true democracy. And true democracy and true aristocracy are one and the same thing. If anybody cannot see this, so much the worse for his eyesight. (91)

Thanks to texts such as Wister's, the "best man" of the West appears to be the Virginian and other "quality" members of society. And it is this "let the best man win" attitude that justifies and mythifies violence on the Frontier.

Enter the Man:

Though Slotkin applies this cultural analysis of social distinction to Owen Wister's 1902 novel, we could easily apply it to our own examination of the historical



Captain James Williams
Courtesy of Montana State
Historical Society

novels surrounding the Montana Vigilantes. Those pro-vigilante texts celebrate Captain James Williams, especially, as a Virginian-like character who could do no wrong. Williams was "fearless," "intrepid" and "the man for the place." Such compliments parallel those Wister bestows on his "gentlemanly" Virginian.

One collection of the John K. Standish's papers, held by the Montana State Historical Society, are entitled, "Captain James Williams was Fearless Leader of Montana Vigilantes." Standish records in his personal papers that "None were more active in the field than he [Williams]—the silent, redoubtable, intrepid leader" (15).

Standish wasn't the only writer interested in Williams' heroic qualities. Linderman's novel, *Henry Plummer*, speculates that Williams was sought out by two

masonic brothers to lead the fight against Plummer and his supposed gang: “‘We must find a leader,’ said Thompson. ‘I know the man for the place. He’s not a Mason, but that don’t make any difference to us nor to him. His name is Jim Williams. I know he’s the man, for I saw him in action once’” (160). Linderman was apparently so taken with stories of Williams’ greatness that he urged the State to commemorate the man’s deeds on a plaque in the State Capital Building in Helena. The plaque, still in the Capital Building, was written by Linderman and dedicated to James Williams, “Through whose untired efforts and interpid daring, law and order were established in Montana, and who, with his associates, brought to justice the most desperate criminals in the Northwest” (Linderman 4)²⁹.

Another character mentioned in all Montana Vigilante stories was John X. Beidler. This man performed many of the executions ordered by the committee. He had originally dug graves for Stinson and Lyons after their trial for the murder of their fellow deputy Dillingham. After a “guilty” verdict, some women pled for their acquittal, which was granted.³⁰ After the trial, since no men had been hanged to fill the graves, Mather and Boswell record, X. Beidler had “been unpaid for the hard manual labor. Adding insult to injury, town roughs urinated in the empty grave and taunted its digger by sticking up signs around town announcing that X. had ‘Graves to Let.’” The historians continue, suggesting, “No man present could have been more pleased at the thought of Buck [Stinson]’s rapidly approaching demise than Beidler” (35, 34). Even pro-vigilante

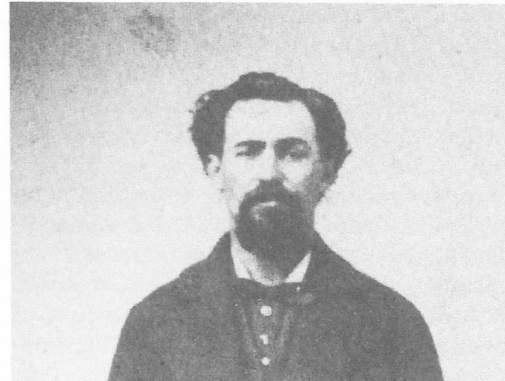
²⁹ The entire text of the plaque was cited in the Introduction of this thesis. See page 3.

³⁰ Of this episode, Dimsdale writes, speaking of women: “We cannot blame the gentle-hearted creatures; but we deprecate the practice of admitting the ladies to such places. They are out of their path. Such sights are unfit for them to behold, and in rough and masculine business of every kind women should bear no part. It unsexes them, and destroys the most lovely parts of their character. [...] From Blue Stockings, Bloomers, and strong-minded she-males generally, ‘Good Lord, delivers us’” (Dimsdale 80-81).

author Lew Callaway agrees X. enjoyed the hangings. Callaway writes that X. Beidler “was away from Virginia City for at least a week; coming back he fell in with the Vigilantes who already had captured Red (Yeager) and Brown, the first man they hanged. ‘X.’ joined in the hanging with gusto” (John K. Standish papers 11). X. Beidler was vital to the vigilance committee’s lynching, as he bore the title “executioner.”

Beidler was celebrated forty years later in Helena’s *Daily Independent* April 2, 1903 issue. Poet Will Aiken creates an encomium for Biedler:

Brave pioneer! O’er hill and vale,
Where men’s heroic deeds are sung,
Montana’s songs their tribute pay
With Beidler’s name on every tongue.
He helped to blaze the trail for these,
The foe of devil’s deed of stealth;
From chaos Beidler helped to carve
Montana, splendid commonwealth!
While shaft of granite marks the spot,
Where dust of this grim hero lies,
Another monument is his,
Yet hid away from human eyes,
The which he carved, perhaps, unthought,
And cutthroats e’er shall hold in awe;
Eternal as the hills it stands—
X. Beidler’s monument—the Law!



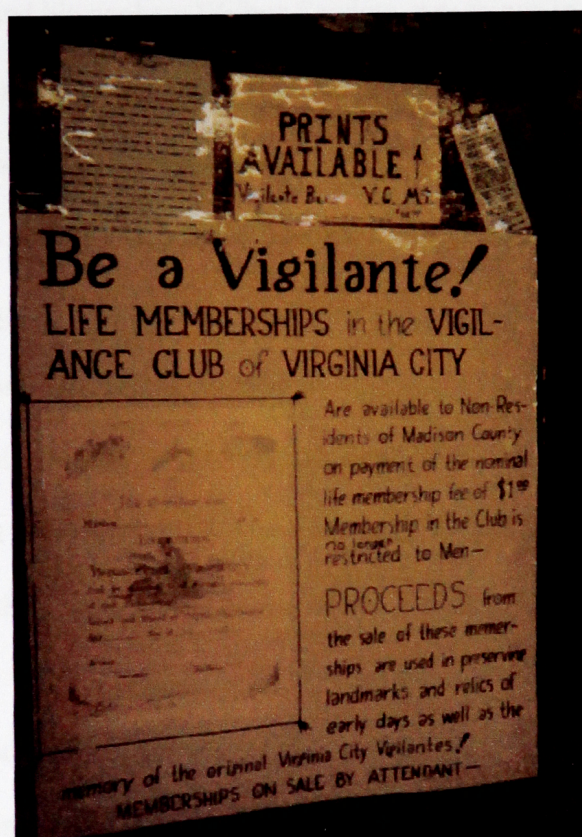
John Xavier Beidler. Courtesy of Montana State Historical Society

Truly, Wister's *Virginian* had some large boots to fill if he were modeled on any of Montana's glorified vigilantes.

“Quality” Versus “Equality”: The fight for the Establishment of “Civilization”

Slotkin's dissection of Wister's *Virginian* has even greater application to our discussion than the character's similarity to James Williams or John X. Beidler, however. This fight between “equality” or common men, and “quality” or the elite class, was not just over politics. It was about one class's version

of “civilization” and the preservation of that idea. Slotkin explains that in *The Virginian*, “Wister's primary concern (expressed through Judge Henry) is not with the preservation of democratic legislative and judicial forms, but rather with the establishment and protection of ‘civilization’—tasks that can be performed only by the races and classes who possess the proper ‘gifts’ (181). In this way, political issues were made mere appendages to the great “civilizing mission” of the Anglo-Saxon colonizers. “Civilization” was at stake—not just local government or self-preservation against “dangerous” robbers.



A Vigilante Club still exists. This sign resides in a Virginia City museum and explains anyone can purchase a membership. Note the sign's comment that membership is "no longer" restricted to men.

Perhaps Justice Sidney Edgerton and his nephew Wilbur Sanders saw things in ways that paralleled Wister's vision.³¹ When they organized the Montana vigilance committee, it was under the guise of protecting the miners and their profits. However, as mentioned earlier, the stealing didn't stop when the supposed members of the "Plummer gang" were all killed. Eight more hangings took place after the rumored gang was eradicated and the committee stayed in control of the territory until federal officers forced them to stand down.³² Therefore, it is likely the vigilance committee was more concerned about the safety of "civilization" than that of the region's miners. They likely saw past the rumors of a dangerous gang and saw those men they killed as enemies of the "quality" element of society.

If Edgerton and Sanders did indeed see their victims as men of "equality," Dimsdale's narrative agrees with them completely. Chapter One, you will remember, already explained the reasons for such parallels.³³ Dimsdale's records, held in the

³¹Historian Louis Schmittroth mentions that Henry Plummer appeared to be on friendly terms with Edgerton and Sanders before the latter two gave the order for his death: "[Plummer] boarded with the Vails, who were next door neighbors to the Sanders family, and (he thought) he was on friendly terms with the Sanders and the Edgertons—having entertained both families at a lavish Thanksgiving dinner at the Vails' in November" (Schmittroth 22). If Edgerton and Sanders really saw Plummer as a threat against their money or their lives, they doubtless would have declined his invitation to dinner. Yet, if they saw him more as a threat to "civilization" than to their persons, they could easily have dined with him in November and hanged him in January.

³² Indeed, the Vigilance Committee's records, held by the Montana State Historical Society, give a "Notice to all whom it may concern" that "the Vigilance Committee, composed of the citizens of the Territory, have determined to take these matters in their own hands, and to inflict summary punishment upon any and all malefactors, in every case where the civil authorities are unable to enforce the proper penalty of the law." The notice is dated "September 19th. 1865." (Vigilance Committee Records)

³³ Dimsdale's text highlights members of the vigilance committee as righteous and upstanding men, while their victims are portrayed as the worst of criminals. It is vital to remember this text was funded by and published for members of the Vigilantes. Indeed, Dimsdale was great friends of several of the members of the committee. John K. Standish's papers, held by the Montana State Historical Society, record: "One writer adds [of Dimsdale]: 'In his sickness his staunch friend, Col. Wilbur F. Sanders was almost a constant attendant at his bedside, and it may be said the departing journalist literally died in the arms of his friend.'" Earlier in the record, it notes that Sidney Edgerton's daughter, Martha Edgerton Plassman, wrote of Dimsdale: "Some of the Post readers were so pleased with the story that they presented the author with an ivory-handled, silver-mounted revolver in token of their appreciation of the Vigilante chronicle. (John K. Standish papers).

Montana State Historical Society Archives, contain a book review of a novel not unlike his own, published just months before his own version of the Vigilante story could be published in the *Post*. This book review celebrates the Vigilantes as men of outstanding character and heroism. At the conclusion of his unfavorable review, Dimsdale writes:

The Vigilance Committee of this Territory have a case to make, which must not only exonerate them from guilt in the eyes of all good men, but must entitle them to the thanks of the civilized world. One hundred and two were the acknowledged victims of the monsters whose career of guilt was cut short by necessary and retributive vengeance, besides scores of unknown unfortunates, and that the Territory is to-day [sic] as safe to live in as New York, is entirely owing to the action of those brave men. (Thomas Dimsdale Records)³⁴

Dimsdale staunchly claims the men of the Vigilance committee were the highest quality of men. Therefore, their opponents were necessarily composed of unequal character—in other words, composed of the same social material as the perceived lower class. The nature of the dichotomy dictates the Vigilantes' victims truly must have been “equality,” to use Slotkin's term, to be the enemies of such a “quality” committee.

Killing the Sheriff: The Removal of Obstacles:

Although the vigilance committee asserted that their motive was the safety of the settlers, they killed the local sheriff and his deputies on their crusade as well. Though this may seem to uphold Fritz's definition of vigilantism for popular sovereignty, the organized law was set in place by the upper-class of Bannack. And though Henry Plummer was elected by a majority of the people, “quality” and “equality” alike, he was

³⁴ The names and identities of those “acknowledged” one-hundred victims, no writer has disclosed. 102 is the number rumored to have fallen victim to Plummer's gang over the years (years in which, it must be mentioned, the supposed members of the gang were not all even in the same town or territory) (Mather and Boswell).

not a major political threat, per se, to Justice Edgerton or any of the merchants in Bannack or the Fourteen-Mile City. He was not competing against Justice Edgerton for political clout, nor was he about to run for territorial governor or chief justice. He was rather low on the judicial hierarchical scale compared to Justice Edgerton. Besides the rumored threat of his gang, why kill Henry Plummer without proper trial when there was so much word-of-mouth evidence to supposedly convict him? Two answers, at least, are possible. One, Plummer was a democrat and highly-favored of the “equality” class of people in the region. But since the Vigilantes were eliminating not only political enemies, but also “uncivilized” enemies, Plummer was indeed dangerous; although Plummer was seen as a comparatively austere gentleman, he was a gambler by trade, had been in Washington and California, and was one of the fastest draws in the region. All of these reasons make him not only a man of “equality,” but as such, the wrong man to have any political power when real “civilizing” was taking place.

With such a situation in mind, then, let us return to Slotkin. He explains Wister’s “quality” vs. “equality” model in terms of the Frontier Myth. This juxtaposition of class was not only a theme in Wister’s dialogue, but also an iconic trope in Frontier ideology.

In the traditional terminology of the Frontier Myth, the coming of “civilization” and the establishment of a legally constituted government were regarded as virtually synonymous. Wister distinguishes “civilization” from “government” by arguing that certain forms of democracy produce a degenerate form of politics: one in which mongrels and failures, the “equality,” are enabled to assert against the “quality” their claims for power and a redistribution of wealth. (181)

If the settlers in Montana saw civilization and government as “virtually synonymous,” to have one without the other would be dangerous to the “quality” element of society.

Plummer’s situation as democrat, popular gambler and sheriff was, in Wister’s above definition, democracy by the “equality.” Yet with such a government in place, members

of the mining towns' elite could not truly establish their own version of "civilization."

Slotkin's analysis explains the Vigilantes were doing more than protecting the settlers of the mining town against dangerous men; they were protecting their civilized settlement from a common government.

A New Form of Savagery:

Slotkin's argument about class conflict in the West is important because it has international ramifications on colonial ideology. Without an understanding of this struggle for civilization, no other mode of Frontier violence can be understood. The establishment of true "civilization" is the root of all mythically-justified Western violence, and by extension of mythically-justified American colonization:

The crucial battle of the mythic Frontier is therefore not simply the struggle between White republican and Red savage but the struggle between "True aristocracy" and false democracy. This latter internal struggle is what literally threatens the existence of "civilization" as such; savagery proper was never more than a figurative threat, although savage war has been the school in which the defenders of civilization have acquired their "manhood" and all the attributes of skill and character that define heroic virility. (Slotkin 181-82)

If such an internal struggle is "the crucial battle of the mythic Frontier," then the "savage" robber



Noose as symbol of (social) construction

gang the vigilance committee sought out and killed was just a "figurative threat." Indeed,

all the evidence held against the victims was mere hearsay—no two or three witnesses ever saw the Plummer gang kill the hundred people Dimsdale’s record alludes to. The real threat the victims of the committee posed was of interference with the “quality” class’ idea of “civilization.” Indeed, Slotkin explains that in Frontier mythology, “in dealing with White ‘savages,’ the hero is allowed to violate codes of honor that the heroes of Indian-war romances adhered to” (142). Those who are seen as “equality,” no matter what their color, are just as ‘savage’ as the American Indians described in penny literature of the Frontier. If they had any loyal following, such as Plummer had as Sheriff, these “equality” were even more dangerous (and therefore “savage”) than the Native Americans were rumored to be.

Though the Montana Vigilantes look less honorable in this light than in the haze of Dimsdale’s “impartial narrative,” the new image may be more accurate. If killing the guilty gang of “savages” was just a front for the committee’s true “civilizing” mission—a front which provided needed proof of manliness and virility, as Slotkin suggests—then the Vigilantes fit Slotkin’s model very well. If manliness was illustrated by the killing of “savages,” Justice Edgerton’s vigilance committee was very manly. The story of Jose Pizantia³⁵ adeptly illustrates the projection of the violent civilizing mission onto unsuspecting plundering “savages.” After Pizantia was killed, Justice Edgerton assured “his wife Mary that no miscarriage of justice had occurred. Pizantia’s tiny cabin, he told her, ‘had been the headquarters for all those villains for a long time’” (Mather and Boswell 59). It perhaps was easier to justify the mob’s actions than for him to admit the man inside the cabin had not been on Red Yeager’s list, nor was he identified before he

³⁵ See Chapter One of this thesis for the full story of Pizantia’s death. The mob never asked Pizantia’s name before they killed him, and therefore, instead of killing “Spanish Frank,” killed an innocent man.

was killed. The cabin, you will remember, was riddled with bullets, fired upon by Justice Edgerton's own small cannon, the man inside killed before he spoke to any of his assailants or gave his name, the body hung, shot over one hundred times, and burned.

Violent episodes such as this have been justified not only by pro-vigilante authors, but also by other proponents and protectors of the Frontier Myth. Violent scenes of vigilante "justice," regardless of moral or ethical ramifications, are seen as necessary and appropriate measures when done for the sake of "civilization." Dimsdale's own account supports vigilante violence as honest and noble. At the conclusion of his

Vigilantes of Montana: Being a Correct and Impartial Narrative, Dimsdale writes:

No man need be ashamed of his connection with the Virginia [City] Vigilantes. Look at their record and say if it is not a proud one. It has been marvellous [sic] that politics have never intruded into the magic circle; yet so it is, has been, and probably will be. [...] Fortified in the right and acting in good conscience, they are "just, and fear not." Their numbers are great; in fact, it is stated that few good men are not in their ranks, and the presence of the most respectable citizens makes their deliberation calm, and the result impartially just. (Dimsdale 267)

This acclamation not only applauds the violence of vigilante "justice," it glorifies the men who hung those twenty-nine supposed robbers without jury or trial. Indeed, Dimsdale and those who hold his account as comprehensive and completely accurate see the Vigilantes of Montana as those of Wister's Virginian's caliber—as bright, noble gentlemen in an "uncivilized" world. This image of the gentleman-gunslinger is one of the most iconic figures of the mythic Frontier. The West was won, writers like Dimsdale suggest, by men willing to hang a few "equality" victims for the sake of the "quality" colonizers. Slotkin explains this conviction in terms of the amount of propriety colonizers were willing to set aside for the sake of the "civilized" end result:

Thus to save civilization for "decent folks," it becomes necessary to set aside the forms of law and both the ideological framework and the traditional practices of

democratic government. Those who perform the work of rescue are licensed not only to act outside the norms of civil law and the Law of War (which forbids indiscriminate killing of civilians), but to deploy violence on a scale never hitherto permitted in any other contexts but those of “savage war” and “servile insurrection.” (Slotkin 100)

Truly, in the case of most vigilance committees, and certainly that of Alder Gulch and Bannack, “civil law” and peace were set aside in order to “civilize” the savage “equality” population. Violence otherwise appalling, such as that described in the Eighth Amendment, was utilized to achieve what a few men perceived as a common good.

This philosophy has influenced not only the historical narratives and documents surrounding the Vigilante Committee of 1864, Idaho Territory. The power of these narratives lies in their ability to radiate outside of themselves. The attitude that violence is appropriate, and indeed necessary, in a “frontier situation” has helped formulate much more than small historical manuscripts. Such ideas have validated not just twenty-nine hangings in 1864 Montana, but have tinted the pages of Montana history books, the western films of Hollywood, the “cowboy stories” of dime novels, and the national perception of what sort of society lay beyond the fields of the Great Plains. Mather and Boswell remark on this phenomenon, explaining that the Montana Vigilante’s hanging spree injured more than just the men of the supposed Plummer’s gang.

The vigilantes’ reign has had its effect on the collective national conscience, for the story of the lynchings not only bears upon western history, but also upon the issue of man’s importance in the universe. As earlier studies of frontier violence have made clear, citizens seem to place more value on property than human life. The vigilantes’ lack of regard for life is mirrored in western history and literature. When relating a lynching, writers frequently adopt a jocose tone, calling it a “necktie party” and describing the death throes of an untied human being as “dancing at the end of a rope” or “having his neck stretched.” But where there is no respect for life, there is no basis for any moral or ethical code. “A reverence for life,” Dr. Albert Schweitzer has pointed out, “is the beginning and foundation of morality.” (Mather and Boswell 177)

The popularity of the violent Frontier myth protected and honed the Vigilante stories we have examined. Those stories based mainly on hearsay and Dimsdale's book (which text, you remember, was Prof. Dimsdale's attempt to save his financiers' reputations) were absorbed into the myth and justified. More recent scholarly narratives (those based on more archival research as to the victims' actual guilt) have been willing, as Slotkin's, to question this myth and the narratives protected by it. It is from these texts we can gain a somewhat objective view not only of what happened in Idaho Territory, 1864, but of the frontier myth as well. For it is in this myth that America hides much of its colonial history and the truth of its historical conquests and civilizing mission.

CHAPTER THREE

Helena's Vigilante Days: Evidence of the Power of Historical Narrative

"Times change. Issues change. Students change. But year in, year out, excitement over Helena's Vigilante Parade draws one of the largest crowds of the year to downtown Helena" (Sasek 1).

Vigilante Days:

Though the previous chapters have articulated my argument in depth, it is necessary to add to them a coda. I have claimed repeatedly that America's Frontier myth has been supported and upheld by the western violence of such episodes as the Montana Vigilantes' hanging spree. In order for that claim to be legitimate, however, it is necessary to prove Montana's own perception of history has been greatly influenced by that same episode.

This next section explains that Montana continues to be impacted by the stories of



Note the gallows and noose in this company's logo.

the Vigilantes. Though the only evidence cited previously of this influence is the plaque in Helena and the pamphlets in Nevada and Virginia Cities, more overwhelming examples of the persistence of vigilante violence exists—both materially and ideologically. One simple example is

this photo of the Vigilante Construction, a literal symbol of the great "civilized"

foundation vigilante violence has given to Montana. Another illustration of the Vigilantes' present-day prevalence is on page 103, which shows a copy of a Missoula yellow-pages add for "Vigilante U-Haul and Storage."³⁶ Such examples begin to point in the direction of an argument about the ways in which Montana's historical consciousness has been shaped by myths attached to the vigilantism of its past.

This historical consciousness is the popular perspective of the past—the viewpoint created and concentered in the minds of Montanans by social narratives of history. These narratives, as I've discussed, range in form from Thomas Dimsdale's pro-vigilante texts (published first in newsprint and most recently in book form), to the advertisements above. Such narratives are literary in that they can catalyze reader response. In the case of vigilante propaganda, this response is usually a belief that mythical frontier violence should be celebrated and glorified. One striking example of such glorification is the Vigilante Day Parade, a present-day celebration of vigilante violence.

From Nevada City to Helena, Main Street is Still a Good Place For a Hanging:

Currently in Montana there is one key annual event that celebrates a past defined by vigilantism. Every year in Helena, the students of the local high schools gather together to celebrate their history. This gathering entails floats, costumes, and a highly-publicized parade. According to a "City of Helena Proclamation"—written in 1993 to

³⁶ Note that the caricature in the ad is wearing a sheriff's badge. Whether the cartoon is supposed to be Plummer, one of his deputies, or a vigilante that took the badge from Plummer's chest is unknown.

proclaim the week of the parade “Vigilante Week”—signed by Mayor Kay McKenna of Helena:

The Vigilante Parade was started by Helena High School Principal, Albert J. Roberts in 1924. [...] The Vigilante Parade was intended to present, in the main, the adventurous life and colorful costumes of the Montana Pioneer, especially the Pioneer of historic “Last Chance Gulch” [the area now known as Helena]. (McKenna 1)

The proclamation explains that the 1993 parade “is the 66th Annual Vigilante Parade” and “the theme for the 1993 Vigilante Parade is, ‘Gun Shots on the Gulch’” (1). Not only does the Mayor express her approval for the celebration of Montana’s vigilante history by proclaiming a week “Vigilante Week,” but she also includes this endorsement of the festivities: “I urge all citizens of Helena to participate with the local high schools in the celebration” (1). This Mayoral document not only illustrates the parade’s popularity and historical precedent, but Helena’s construction of community consciousness of its history.

The popular stories of Montana’s miners are celebrated at least one week a year by the high school students and active members of the community.

This celebration is larger than one might think. Helena’s *The Independent Record* comments on the enormity of the crowd. Staff writer Grant Sasek says of the parade in May 1999:

Times change. Issues change. Students change. But year in, year out, excitement over



1933 Parade. Skull hanging from Hanging Tree.

Helena's Vigilante Parade draws one of the largest crowds of the year to downtown Helena.

Once again,
marching bands and
the click of shod
feet on hard asphalt
set the tone for
Vigilante Day in
downtown Helena.
And once again,
thousands of
Helenans lined the
streets and crowded
overlooking
windows to watch it
all pass by. (1)



7 7

1933 Parade. The sign says, "Undertaking Parlor! We ask no questions."

Indeed, the parade is
important enough to have

merited attention from *The Wall Street Journal*. Because of his talents as a journalist, Lawrence Ingrassia's article is worth quoting at length. His observations of the parade were published in a nationally-recognized and distributed paper—adding relevance to my claim that vigilantism is an established and still potent symbol of the Western myth.

Ingrassia writes:



1933 Parade. A replica of Robber's Roost, the rumored hideout of the Plummer gang.

HELENA, Mont.—Late on the afternoon of April 30, 1870, a clamorous crowd of 3,000 men, women and children gathered here for what turned out to be a historic event—a double lynching, the last vigilante hangings ever to take place in Helena.

At high noon today, along Last Chance Gulch, thousands more will assemble to commemorate that event, and the history of Montana, with the Vigilante Day parade, Helena's annual homage to the tamers of the West.

Miners will gun down claim jumpers; preachers will perform shotgun weddings; Indians will attack covered wagons.

And, of course, notorious outlaws such as “Clubfoot” George Lane and thieving Sheriff Henry Plummer will swing from trees.



1933 Parade. “The Vigilantes Capture Plummer 1864.”

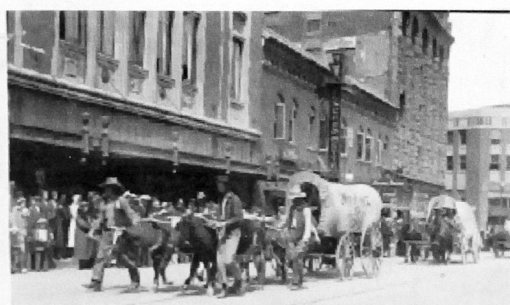
The spectacle is staged by high-school students in this town of 24,000 people. The kids will troop down Last Chance Gulch, Helena’s main street, on floats and horses and on foot in a display of Old West pageantry.

For two hours, nearly everything else in Helena will come to a halt. People from the state capitol building across town will abandon their offices, and ranchers from miles around will head to town in their pickup trucks. By 11 a.m., the parade watchers will be staking out spots along the route.

Ingrassia’s article explains not only how large and popular the parade is, but also makes clear that—regardless of other float scenes and subjects—the parade is a focus on the hangings that undergird Helena’s Vigilante Days.

Historical Representation:

As mentioned in Mayor McKenna’s proclamation, the first parade took place in



Parade in early 1930s. The wagon reads: “Last Chance Gulch or Bust.”

1924, initiated by then-Principal Albert J. Roberts. In 1988 Jill Sundby, a staff writer for *The Independent Record*, interviewed one of the only surviving members of that first parade: Ellen Raftery. Raftery said “the first parade consisted of ‘mostly

horses and kids dressed up as Indians, walking or riding horses” (Sundby 1). One Helena journalist records, “The result was a parade to display a historical representation ‘of the pioneer life of Last Chance Gulch’ to the town’s citizens” (Synness 2A). This historical representation is exactly what this discussion is concerned with.

Mayor Albert Roberts³⁷ wrote, fifteen years after he began the tradition, that “this parade [...] has more than any other institution distinguished the city of Helena and its high school. From it also thousands of our citizens have obtained a knowledge of the life and customs, of



1933 Parade. “Vigilante Undertaking Co. Cut Rates on Hangings [sic].”

the thrilling story of the early days in the Treasure State” (Roberts 1). Indeed, Roberts felt that the portrayal of history and the celebration of the Vigilantes would teach Helena’s citizenry of their noble past.

Difficulties with Vigilante Days:

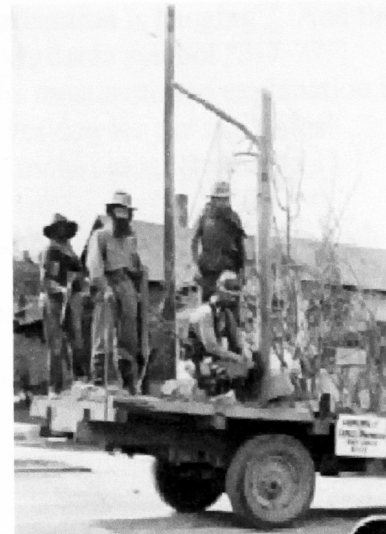
There are difficulties that arise from such a celebration. One such difficulty is that hangings are commonly represented on the floats.



1933 Parade. “Colt’s Law.” This student mimics the Virginian’s mode of justice.

³⁷ This is the same Albert Roberts who was Principal of Helena High in 1924, and held the first parade.

Helena's *The Independent Record* recorded of the May 10, 1997 parade, "The 161 entries included a large number of boxing matches, golf courses, and *hangings*" (Evans 1 emphasis added). Jace Essex, a little boy watching the parade, had his picture taken for the same issue of the paper. In the picture his cowboy hat was highlighted by a sheriff's badge on his left shirt pocket. He was quoted as saying, "I like the floats the best. Sheriff floats are the best" (Evans 1). Even little boys perceive the "lawful" element of the vigilantes.



1933 Parade. The gallows is a replica of that Plummer built and was hanged on.

Perhaps Jace didn't know that the parade hangings the article cited were representative of what the Vigilantes did to their sheriff.

The *Wall Street Journal* article cited earlier explains more of the problematic issues the parade inspires. One is that only certain version of history is conveyed by the parade—and that history is what the students learn in their history classes:

And the vigilantes have a hallowed place in Montana history. To many in the West they are folk heroes, revered for imposing law and order where there had been none, even if doing so meant hanging a few men whose guilt wasn't well established.

"The vigilantes were good; they cleaned up the West," declares Terry Foster, an 18-year-old senior at Helena High. And even skeptics give the vigilantes the benefit of the doubt. Though they took lives, says senior Gerald Storbakken, also 18, "they were more on the side of right than the criminals were."

Nearly every schoolchild can retell how the vigilantes first banded together around Virginia City, Mont., in late 1863 and early 1864 to hang Henry Plummer and his gang of outlaws, who called themselves "the innocents." ("Their password was, 'I'm innocent,'" recalls Mr. [Rex] Myers, the historian [at Western Montana College].) Vigilance committees started up elsewhere and hanged dozens of men in the state by the mid-1880s, when the last victims were strung up.

To this day [in 1982], Montana's method of execution is hanging³⁸ And the badge of the Montana Highway Patrol bears the vigilante symbol "3-7-77." Though the meaning of the symbol is debated, the most common explanation is that the numbers stand for the dimensions of graves dug for the vigilantes' victims—three feet wide, seven feet deep and 77 inches long. (Ingrassia 1)



2002 Parade. Hangings happening again.

Ingrassia's quotes from the high school students are particularly enlightening. The seniors obviously have been taught enough to know about the Vigilantes—an important part of their state's history—but have not been taught that the history

they learned is subjective and worth studying and questioning.

Evidence of this one-sided history can be found any year of the parade. I have included in this chapter photographs of past Vigilante Parades. The Helena High library and its large archives of parade paraphernalia provided these records. The enclosed pictures are records mainly of the hangings depicted by the students' floats.

Ingrassia's *Journal* article is again applicable, if my argument is to be fair. He explains that though the parade celebrates the Vigilantes with its title, the floats often stray from the violent theme:

Despite the parade's name, only about half a dozen or so floats each year actually depict hangings. That is because vigilante floats rarely win the prizes awarded, which are given to the most authentic and artistic floats recreating historical scenes. "You can't put much detail in a hanging," says Brett Bomar, a 17-year-old senior at Helena High.

³⁸ Montana's current mode of execution is lethal injection (Statute MCA—Montana Code Annotated—46-19-103). As recently as a few years ago, however, the state offered death row inmates a choice between hanging and lethal injection.

Yet, the hangings are still present. And, usually a half-dozen are evident in a two-hour period with thousands of people watching. Ingrassia seems to agree that the hangings are problematic. He continues:

Still, “the hangings are among the favorites,” says Peter Carparelli, the principal of Helena High. And sometimes the kids come up with a new twist. Two years ago, a float portraying the lynching of the Ayatollah Khomeini was cheered loudly by the assembled mob.

Another one showed Methodist minister W. C. Shippen presiding over the chopping down in the mid-1870s of Helena’s hanging tree, which was on a piece of land he had bought. In a newspaper interview years later, he recalled: “When



1933 Parade. Yet another replica of the Hanging Tree.

the news reached town, almost a riot followed. Scores of people visited my place, and in a short time they had taken away most of the tree as souvenirs. I didn’t know how much the people appreciated the gruesome old relic.” (Ingrassia 1)

The *Journal* article

explains the importance of hangings to the parade. If

the festivity was merely a veneration of the past and a depiction of pioneer life in mines and sod houses, it may still show some violence, as violent behavior was evident in that society. However, the heritage preserved by floats whereon hangings aren’t reenacted may be more worth honoring than a hanging spree. The high school students performing hangings to commend the execution of dozens of men that were never granted trials proves that the vigilantes’ reign is still, if not in full swing, present in the imaginative history of Montana’s past.

The hangings in the parade not only applaud the violent past the Vigilantes represent, but recreate an imaginative commitment to that violence in current consciousness. Old violent traditions are reanimated through re-creation. By representing the vigilantes' actions on a yearly basis, on the back of flatbed trailers lining Helena's main street, the students and faculty of Helena's high schools keep the violence of the Frontier myth alive and well. If the



2002 Parade. The banner reads: "Hang 'Em If You Can!"

students stopped pretending to be vigilantes, the hangings on the floats would stop. And if the students could stop role-playing, perhaps it would be easier for the Montana Highway Patrol to remove the vigilantes' 3-7-77 from their badges.

Conclusion:

Though the violence of the Frontier myth is relevant to most Western states, this discussion has identified one mythologic episode important to Montana. The stories of the Vigilantes contain more than mystery and subjective history—they hold the power of narrative. Narratives give way to myths, and myths to the collective consciousness of American society. Ideology is based on myths, and therefore on stories like the Montana

Vigilantes'. Richard Slotkin explains the potency of myth in relation to historical and moral consciousness:

Myths are stories drawn from a society's history that have acquired through persistent usage the power of symbolizing that society's ideology and of dramatizing its moral consciousness—with all the complexities and contradictions that consciousness may contain. Over time, through frequent retellings and deployments as a source of interpretive metaphors, the original mythic story is increasingly conventionalized and abstracted until it is reduced to a deeply encoded and resonant set of symbols, "icons," "keywords," or historical clichés. In this form, myth becomes a basic constituent of linguistic meaning and of the processes of both personal and social "remembering." (Slotkin 5)

Remembering the Vigilantes as just and righteous executioners mythifies, and thereby validates, historical violence. It is this remembering that Vigilante Day Parade spectators and participants perpetuate. And it is this remembering that continues to flourish with the help of Dimsdale's and other pro-vigilante texts.

As Slotkin notes, myth becomes meaning and meaning becomes ideology. By mythifying and heroicizing the Montana Vigilantes, archival narratives support and augment the historical violence of the Frontier myth. Through that myth, the celebration of violence on the frontier historically justifies various methods of colonization, including vigilantism; in the case of the Montana Vigilantes, "Civilization" was achieved for God and country, no matter the cost of a few "equality" lives.

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MONTANA HISTORICAL SOCIETY ARCHIVES

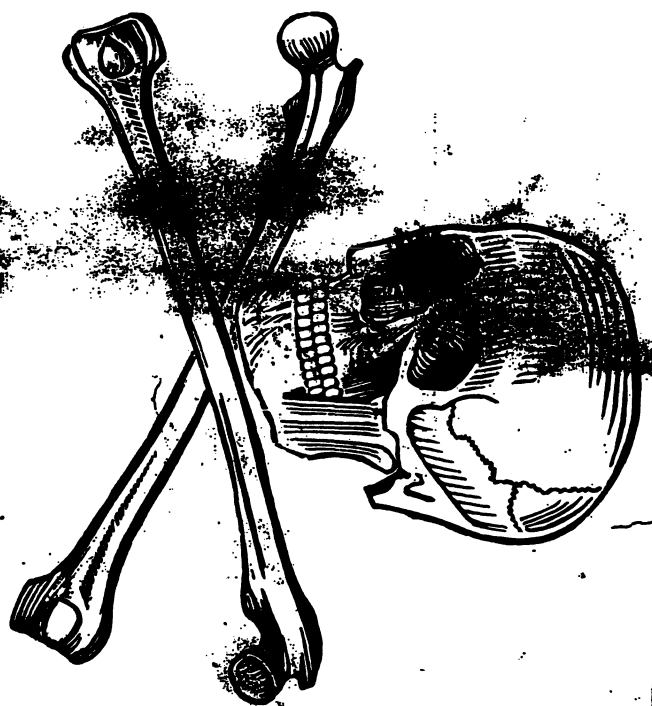
SC 95.3

Violence

SC 95.3

Violence (Inquest 1)

THIS UNHEEDED VIGILANTE WARNING, PRESENTED TO JUSTIN LYNCH BY DR. CLARK OF BROOKLYN, CAUSED THE LYNCHING OF CON MURPHY, NOTORIOUS OUTLAW AT HELENA, MONTANA TERRITORY IN 1884.



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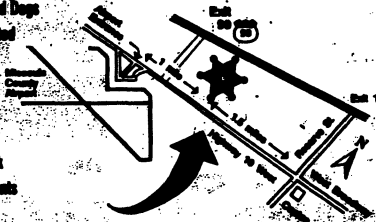


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